

THE LEGISLATIVE COUNCIL OF THE GOVERNOR OF MADRAS.

Thursday, the 1st March 1934.

The House met at eleven of the clock, Mr. President (the Hon. Mr. B. RAMACHANDRA REDDI) in the Chair.

PRESENT :

Usman Sahib Bahadur, K.C.I.E., The Hon. Khan Bahadur Sir Mahomed. Krishnan Nayar, Kt., The Hon. Diwan Bahadur Sir M.

Campbell, K.C.I.E., C.S.I., C.B.E., V.D., I.C.S., The Hon. Sir Archibald. Raja of Bobbili, the Hon. the.

Rajan, The Hon. Mr. P. T. Kumaraswami Reddiyar, The Hon. Diwan Bahadur S.

Abdul Hameed Khan Sahib Bahadur. Alamelumangathayaramma, Mrs. K. Appadurai Pillai, Diwan Bahadur A. Arasu, Mr. V. T.

Ari Gowder, Mr. H. B. Basheer Ahmed Sayeed Sahib Bahadur. Basu Dev, Mr. C.

Bayappa Reddi, Mr. P. Devadasan, Mr. M. Dharmalingam Pillai, Rao Sahib V. Duraiswami Reddiyar, Mr. K. M. Ellappa Chettiyar, Diwan Bahadur S. Gopalaswami Mudaliyar, Diwan Bahadur M.

Gopalaswami Ayyangar, Diwan Bahadur N.

Harischandrudu Nayudu, Mr. A.

Hood, I.C.S., Mr. H. M.

Indrayya, Mr. C.

Jagannatham, Mr. H. M.

Jayaram Nayudu, Rao Sahib C.

Kesavaramamurti Nayudu, Mr. K.

Kolanda Reddi, Rai Sahib C.

Koti Reddi, Mr. K.

Krishnayya Choudari, Mr. P. V.

Krishnamurti, Rao Bahadur D.

Kumararaja of Venkatagiri, The.

Kuppuswami Choudari, Mr. J.

Ladden, Mr. W. W.

Lakshmana Reddi, Mr. G.

Madanagopal Nayudu, Mr. R.

Mahmud Schamnad Sahib Bahadur, Khan Bahadur.

Manikkavelu Nayakar, Mr. M. A.

Metherell, Mr. J. K.

Moidoo Sahib Bahadur, Khan Bahadur T. M.

Moses, Mr. P. C.

Muthiah Chettiyar, Mr. M. A.

Muthu Chettiyar, Rao Bahadur P. C.

Nachiyappa Gounder, Mr. K. A.

Nadimuthu Pillai, Mr. A. Pl. N. V.

Nanjappa Bahadur, Subadar-Major S. A.

Narasa Reddi, Mr. T.

Narasimhaswami, Rao Sahib D. V.

Narayanan Nambiyar, Mr. V. P.

Natesa Mudaliyar, Rao Bahadur C.

Palat, Mr. R. M.

Pannirselvam, Rao Bahadur A. T.

Parthasarathi Ayyangar, Mr. C. R.

Pattagar of Palayakottai, The.

Pocker Sahib Bahadur, B.

Premayya, Mr. G. R.

Rajagopala Pillai, Mr. P. V.

Raja of Parlakimedi, The.

Ramachandra Padayachi, Mr. P. K.

Ramamurti, Rao Sahib Pandit Ganala.

Raman Menon, Mr. K. P.

Ramaswami Ayyar, Mr. T. S.

Ramaswami Mudaliyar, Mr. V. M.

Ranganatha Mudaliyar, Mr. A.

Ranganatha Mudaliyar, Mr. G.

Ranganatha Mudaliyar, Mr. M. D. T.

Rangaswami Reddi, Mr. M. B.

Ratnasabhapati Mudaliyar, Diwan Bahadur C. S.

Sahajanandam, Swami A. S.

Sami Venkatachalam Chetti, Mr.

Sesha Reddi, Mr. B. P.

Shetty, Mr. A. B.

Simhachalam Pantulu, Mr. G.

Singam Ayyangar, Mr. K.

Siva Raj, Rao Sahib N.

Smith, C.I.E., I.C.S., Mr. E. Conran.

Soundara Pandian, Mr. W. P. A.

Sreshta, Mr. M. S.

Srinivasa Ayyangar, Mr. T. C.

Srinivasan, Rao Bahadur R.

Sriramulu, Mr. G.

Subbarayan, Dr. P.

Subrahmanya Chetti, Rao Sahib P.

Subrahmanya Bhatt, Mr. U. C.

Sundara Rao Nayudu, Mr. T.

Syed Tajuddin Sahib Bahadur, Khan Sahib.

Thangal, Mr. P. M.

Thomas, Mr. Daniel.

Thorne, C.I.E., I.C.S., Mr. J. A.

Vasudeva Pillai, Mr. V. G.

Vedachala Mudaliyar, Mr. M.

Venkatachala Reddiyar, Mr. K. C. M.

Venugopal Nayudu, Rao Bahadur R. K.

Viswanatha Rao, Diwan Bahadur V. N.

Yayha Ali Sahib Bahadur, Khan Bahadur.

Yakub Hasan Sahib Bahadur.

Zamindar of Mirzapuram, The.

Tampoe, I.C.S., Mr. A. McG. C.

[1st March 1934]

I.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS

Forests

Report of the Working Plans Officer on the reserve forests of South Kanara.

* 723 Q.—MR. U. C. SUBRAHMANYA BHATT: Will the Hon. the Law Member be pleased to state—

(a) whether it is a fact that a Working Plans Officer, one Mr. Davis, was sent to South Kanara to submit a report for the working of the reserve forests of South Kanara and whether he submitted a report on the same; if so, whether the Government will be pleased to lay on the table a copy of the said report and state under what circumstances the Working Plans Officer was deputed to make the investigations;

(b) what the length is of time the said officer worked in South Kanara and what the cost was of the said investigations;

(c) whether the Government have given effect to the plans of the said officer to work the reserve forests; if not, why not; and

(d) whether it is a fact that it was the giving up of the plans suggested by Mr. Davis that necessitated the withdrawal of the concessions which the ryots of South Kanara were enjoying?

A.—(a) Yes; a copy of each of the working plans for the North and South Mangalore forest divisions prepared by Mr. Davis, which are in print, will be placed in the Council Library. Ordinary sylvicultural principles require that all forests should have working plans to ensure that they are managed to the best advantage.

(b) *North Mangalore Working Plan*.—Time of preparation—Seventeen months—Cost Rs. 26,106.

South Mangalore Working Plan.—Time of preparation—Three years—Cost Rs. 63,104.

(c) Yes.

(d) No.

MR. U. C. SUBRAHMANYA BHATT:—"May I ask the Hon. the Law Member whether it is not a fact that Mr. Davis proposed working plans for working the reserved forests while Mr. Padmanabha Pillai, the Forest officer of Mangalore, proposed that the unreserved forests could be worked and the requirements of the Government could be met?"

The Hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—"There is nothing in the question about unreserved forests. I want notice of the question."

MR. U. C. SUBRAHMANYA BHATT:—"May I know in what respects the Government have accepted the working plans?"

The Hon. Diwan Bahadur Sir M. KRISHNAN NAYAR:—"In all respects, as far as I can say now."

1st March 1934]

Land Revenue Administration

Damage by floods caused to the pisanam crops in Srivaikuntam taluk.

* 724 Q.—Mr. M. DEVADASAN: Will the Hon. the Member for Revenue be pleased to state—

(a) whether his attention has been drawn to resolution No. IV of the Tinnevely District Conference, dated 21st January 1934, about the pisanam crops in four villages in Srivaikuntam taluk, having been washed away by floods; and

(b) whether the Government have passed any and, if so, what orders in regard to these four villages?

A.—(a) The answer is in the affirmative.

(b) No, as no special orders of Government are necessary; in the Board's standing orders it is within the power of the district officers to grant remission to ryots applying for it on the ground that their crops have been washed away.

Agriculture

Importation of rice from foreign countries.

* 725 Q.—Mr. M. B. RANGASWAMI REDDI: Will the Hon. the Minister for Public Works be pleased to state—

(a) whether the Government are aware of the fact that imports of rice into the Madras Presidency from Japan, Indo-China and Siam have considerably increased during the past five years; and

(b) whether there are any measures under proposal to raise the prices of the local products?

A.—(a) The Government are aware that rice is imported into the Presidency from these countries and that there has been an increase in the last three years.

(b) The measures taken by Government to facilitate the freer movement of rice have been referred to by the hon. Revenue Member in his speech on the debate on the resolution for land revenue remission on 31st January 1934.

Mr. V. M. RAMASWAMI MUDALIYAR:—"May I ask what investigations the Government have made to find out the extent of foreign rice imported into Madras?"

The Hon. Mr. P. T. RAJAN:—"No investigations have been carried out."

Mr. V. M. RAMASWAMI MUDALIYAR:—"May I ask whether the Government do not think it necessary to carry out investigations in this respect?"

The Hon. Mr. P. T. RAJAN:—"The customs authorities will give us the information required."

[1st March 1934]

Mr. T. C. SRINIVASA AYYANGAR:—" May I know what protection the Government propose to give the people in this respect? "

The Hon. Mr. P. T. RAJAN:—" As I said in my reply to the general discussion of the Budget, the Government of India have been addressed in the matter. In view of the recent import of paddy into the Madras Presidency the Government of India are being addressed again."

Mr. A. RANGANATHA MUDALIYAR:—" May I ask the Hon. Minister how far the measures taken by the Government have achieved the object they have in view? "

The Hon. Mr. P. T. RAJAN:—" My reply must have made it clear."

Mr. T. C. SRINIVASA AYYANGAR:—" Are the Government aware that large quantities of paddy are still being imported from Siam? "

The Hon. Mr. P. T. RAJAN:—" The Government cannot answer a question of that kind off-hand."

Mr. A. B. SHETTY:—" Have the Government received any reply from the Government of India to their communication on this matter? "

The Hon. Mr. P. T. RAJAN:—" As far as I am aware, no reply has yet been received."

Mr. A. RANGANATHA MUDALIYAR:—" Sir, the answer refers only to the measures taken by the Government. It does not at all refer to the results that have been obtained from those measures. The answer is not clear."

The Hon. Mr. P. T. RAJAN:—" The Government of India is being addressed on the subject of the imposition of a preventive tariff on the import of foreign rice. That is what I have stated."

Mr. ABDUL HAMEED KHAN:—" Sir, in view of the fact that our agriculturists are doubly suffering on account of this import of rice, will the Government make a further strong representation to the Government of India and persist in that representation till a solution is found for this problem? "

The Hon. Mr. P. T. RAJAN:—" I can assure hon. Members that the Local Government will go on making representations till they succeed."

Khan Bahadur MAHMUD SCHAMNAD SAHIB Bahadur:—" The answer to clause (b) speaks of the measures taken by Government to facilitate the freer movement of rice. May I know what those measures are? "

The Hon. Mr. P. T. RAJAN:—" That refers to the appointment of an officer to make investigations into the conditions of marketing of rice and reduction of freight on the South Indian Railway and the attempt to get the Hyderabad import duty reduced."

Mr. V. M. RAMASWAMI MUDALIYAR:—" Are the Government aware that during the last two weeks about 8,000 tons of paddy have been imported to Madras and that this has adversely affected the market? "

1st March 1934]

The Hon. Mr. P. T. RAJAN:—"The Government got the information from the same source as the hon. Member, viz., the newspapers."

Mr. T. C. SRINIVASA AYYANGAR:—"With reference to the answer contained in clause (a), namely, that there has been an increase in the import of rice in the last three years, may I ask whether the Government will be pleased to lay on the table the reply received from the Government of India in regard to the representations on this matter?"

The Hon. Mr. P. T. RAJAN:—"The hon. Member's suggestion will be considered, Sir."

Mr. M. A. MANIKKAVELU NAYAKAR:—"Are any steps taken to expedite the reply from the Government of India?"

The Hon. Mr. P. T. RAJAN:—"The Government of India are being addressed in the matter."

Mr. A. B. SHETTY:—"May I ask whether, besides facilitating freer movement of rice, Government have under consideration any special steps for raising the prices of the local products?"

The Hon. Mr. P. T. RAJAN:—"I do not think we have any special measures for raising the prices."

Mr. P. V. KRISHNAYYA CHOUDARI:—"Are the Government constituting a marketing board as advised by the Government of India?"

The Hon. Mr. P. T. RAJAN:—"It will be done at the beginning of the next financial year."

[Note.—An asterisk (*) at the commencement of a speech indicates revision by the Member.]

II.—AMENDMENTS TO STANDING ORDER No. 80 OF THE MADRAS LEGISLATIVE COUNCIL.

* The Hon. the PRESIDENT:—"The first item in the Agenda is a motion by the Hon. the Leader of the House to amend Standing Order No. 80. Under Standing Order No. 79, I have now to read the draft amendment and ask whether the Hon. Member has the leave of the House. The amendment has been circulated to the hon. Members of this House and is also printed in the Agenda. The amendment reads as follows:—

'Insert the words "the Member giving notice of the amendments and in case he is a non-official Member, the Member of Government concerned" before the words "and a Chairman of the Council to be nominated by the President," occurring in the first sentence of the Standing Order.'

"I wish to know whether the Hon. Member has the leave of the House. (After a pause) Since no Member objects, I take it that the Hon. Member has the leave of the House. The draft amendment is now to be referred to a Select Committee. Six Members of the Select Committee have to be elected by the Council by means of the single transferable vote in accordance with the regulations framed in this behalf, the President, the Deputy President and the Advocate-General

[The President]

[1st March 1934]

being ex-officio Members of the Committee. One of the Members of the Panel of Chairmen is to be nominated by me as a Member of the Committee. I fix 1 p.m. to-day as the hour within which nominations may be handed over to the Secretary.

"If the number of candidates nominated exceeds the number of vacancies to be filled, there will be an election between 4 and 5 p.m. to-day."

III.—A BILL TO AMEND THE MADRAS LOCAL BOARDS ACT, 1920, AND THE MADRAS ELEMENTARY EDUCATION ACT, 1920 (BILL No. 2 OF 1934).

The Hon. the PRESIDENT:—"The consideration of Bill No. 2 of 1934 will now continue."

THE SCHEDULE.

Transitional Provisions.

MR. P. V. KRISHNAYYA CHODARI:—"I am not moving my amendment, under rule 7 (d), viz., in line 6 after the word 'office' substitute the words 'in both the district boards.'"

Rule 7 (g) (i).

* Rao Bahadur A. T. PANNIRSELVAM:—"Sir, the amendment of which I have given notice is:

'Omit "(g) (i) in rule 7 of the Transitory provisions."'

"My amendment will have the effect of removing the provision in the Bill as reported upon by the Select Committee, which enables the present president of a district board to continue as president of that portion of the board within which his constituency would lie. My idea is that, after the bifurcation, the present presidents go out of office and the boards get an opportunity of electing their own presidents. The reason is this: A person occupies the position of a president only on the ground that he commands the confidence of a majority of the Members constituting that board. That guarantee of his commanding the confidence of the majority in his board disappears, I submit, with the bifurcation or the division of the district board. I presume it would be almost impossible to so divide the board as to give the person presiding now to have a majority of supporters. The chances will be 50 per cent either way. He might, in the bifurcated board, have a majority, or he might not have a majority. And if he does have a majority, I think it would be the easiest thing for him to get himself re-elected; but if he does not have a majority, it would be unfair to him and unfair to the board over which he presides that he should be continued as president.

"One argument that has been advanced for retaining the present occupant of the presidential office is the trouble and the inconvenience of and the bad atmosphere, I may add, that is generally generated by an election. On the other hand, as against this, I have to point out that, if you retain as president, a person who does not command the confidence of the board as reconstituted, you will be making him face

1st March 1934]

[Mr. A. T. Pannirselvam]

the alternative of a non-confidence motion. Between these two evils—the evil of an election and the evil of a no-confidence motion, the question for us to decide is, which is the greater. To me it appears, Sir, that the dangers attendant on a no-confidence motion, the bad blood, that is consequently created and the unpleasant atmosphere that is thereby introduced are very much greater than in the case of an election. Considering the advantages either way, I should certainly submit, Sir, that it would be conducive to the better administration of the local boards, if, on the bifurcation of these boards, all the presidents are asked to vacate their offices and seek election and secure the same if they command a majority in their own boards. It is on these grounds that I propose this motion.”

Mr. G. SIMHACHALAM PANTULU:—“ Mr. President, Sir, in rising to 11-15
support this amendment I have to say that it is not good from the a.m.
point of view of administration and policy that the person who happens to occupy the presidentship for the time being should be continued as president in the reconstituted district board. For more reasons than one, to ask him to seek re-election is good, as pointed out by the hon. the Mover. For it is very rare that these presidents who have already got themselves elected command the confidence of the board in which they may find themselves as presidents. So it is only to make the scheme unworkable and to make matters more complex, this provision has been retained. I therefore support the proposition that the presidential seat should be thrown open for election.”

Khan Bahadur MAHMUD SHAMNAD SAHIB Bahadur:—“ Sir, I do not think it is fair to ask a president who has been elected as president for a board for a period of three years, to get out after a year or so and seek re-election. The present arrangement is only a transitory one intended just to avoid all inconvenience and unpleasantness incidental to a re-election. So I oppose this motion.”

Mr. K. SINGAM AYYANGAR:—“ Sir, I have to oppose the motion because the Government have at present come to the conclusion that the presidents of district boards should continue in office and that in the case of the bifurcated district boards alone the presidents should seek re-election. No doubt the reasons advanced by Mr. Pannirselvam are very good. But at the same time I would not suggest that we should have re-election for both the boards.”

Rao Bahadur A. T. PANNIRSELVAM:—“ On a matter of personal explanation, Sir, I said that to begin with we shall retain the presidents of district boards which are not bifurcated, and that in the case of bifurcated district boards the presidentship shall be thrown open to re-election.”

Mr. K. SINGAM AYYANGAR:—“ So far as that is concerned, I have no objection, Sir. So Sir, I have no reason to oppose the motion.”

Mr. BASHEER AHMED SAYEED:—“ Mr. President, Sir, I do not see the legitimacy of the reasons that my friend wants to put forward in support of the proposition now under consideration. There seems to

[Mr. Basheer Ahmed Sayeed] [1st March 1934]

be no force in the argument that, because a person has continued to be the district board president—i.e., his having been elected by 52 members—he can continue to be the president. Again, Sir, simply because there is going to be bifurcation of a certain board and there is going to be a president elected for it, that is no reason why the president who has already been elected president by the whole body should also go out of office. It would be reasonable if all the members of the district board go out of office, and then there is election for the district board membership, and consequently re-election for the presidentship as well. But so long as a certain number of members continue to be members of the old board, although a few members may go out to constitute a new board, the *status quo* should prevail even though those who have elected him are now no more in office. I do not see any good reasons advanced in support of this motion. On the other hand it will be highly detrimental to the peace of the local boards once again to have an election eighteen months after the previous one, as it would interfere with public peace, bringing in its train several other things, of which only very recently we had sufficient experience. So I do not think it would be in the interests of the board, the public and the members of the district board that the presidentship of the old board should be thrown open for election. So I oppose this motion.”

Rao Sahib N. SIVA RAJ:—“ Mr. President, Sir; I do not think on principle anybody would take objection to the proposition now before the House. As regards the new board that is to be constituted, hon. Members have very little difference of opinion. It is with regard to the old board there is some difference. Mr. Basheer Ahmed says that the president of the old board may continue to be the president, since he has been elected by the whole body. On the other hand I fear that where a man has been elected by the whole board as president, he may not find in the new board his old supporters. Anyhow there is a lot to be said in favour of both. (Laughter.) But after all as this clause happens to be only a transitory provision, I do not think we need have any serious objection to support it.”

Mr. DANIEL THOMAS:—“ Mr. President, Sir, I am sorry I have to oppose this motion. (Laughter.) [Mr. A. T. Pannirselvam: ‘ You need not feel sorry for opposing it.’ (Laughter.)] Then, I am glad to do so. Sir, the hon. Mover has placed before us two alternative evils, namely, re-election and no-confidence, each having its own peculiar evil consequences. But one thing has to be borne in mind. According to the proposition of my hon. Friend in all district boards in which there has been bifurcation, as a matter of routine and necessity there will have to be election for both the boards. But so far as the no-confidence motion is concerned it is not in every case that this thing will happen. Again in the case of no-confidence motion the majority required is three-fifths. In view of these circumstances I beg to oppose the motion.”

* The Hon. the RAJA OF BOBBILI:—“ Mr. President, Sir, the proposition contained in the amendment of Mr. Pannirselvam was considered

1st March 1934]

[The Raja of Bobbili]

in the Select Committee, which ultimately decided to stick to the original draft. No doubt it is logical, and so I do not on that score propose to oppose it. But what Government feel is that at a transitional stage it is desirable to cause as little disturbance as possible. The cases cited by Mr. Pannirselvam where presidents of old district boards, if retained, may not find adequate support in the new district board are quite true. But such contingencies will only be an exception and not the general rule. And we do not want to compel in such cases where a president does not want to continue as president to remain there. As I said, after all, this is only a transitory provision, and so I appeal to hon. Member not to press this motion."

* Rao Bahadur A. T. PANNIRSELVAM:—"I am glad that my amend- 11-30
ment has made hon. Members sitting opposite rise one after another in support of the Government's position. Just one word with reference to what my hon. Friend, Mr. Basheer Ahmed, said. I thought that in what I said in support of my amendment I made myself perfectly clear—at least from my own point of view I thought it was logical. I am sorry to find that he has not followed my argument. If he has followed my argument even a bit, he would have easily found why a member who is elected for a board consisting of, say, 52 Members could not continue as president after bifurcation. I must say that it is a simple matter of arithmetic and if he has bestowed a little thought over the matter he would have been able to see the fallacy of his own argument. Supposing in a board consisting of 52 the president was elected by 29 against 23 and this board of 52 is bifurcated and we find 26 people allotted to each district board, and supposing the 26 people that go over to the new board are out of the 29 people who gave their support to the president in the old board, I ask what would be the position of that president whom you want to shelter? As far as I can follow, the arguments of hon. Members who opposed my motion after all amount to one thing, viz., as to why we should disturb a certain gentleman who entered into his office with the expectation of continuing all through the full period of three years by reason of this Legislative Act. My reply will only be this: when taluk board presidents entered into their office, they stood for election at considerable expense and in the hope that they would continue for three years. When taluk board servants took up particular service, they thought that their services would not be disturbed, in the normal course of events, for their life and by this Act of Legislature we are disturbing them. We have no consideration for taluk board servants, we have no consideration for taluk board members or presidents. But then hon. Members of this House seem to be very solicitous, for reasons which it would be unnecessary for me to explain, about the sensibility of presidents of district boards being disturbed. Out of deference to the wishes expressed by the House and more particularly the appeal made by the Hon. the Chief Minister and with your permission, I withdraw my amendment."

The amendment was, by leave, withdrawn.

[1st March 1934]

* Mr. P. V. KRISHNAYYA CHOUDARI:—"I beg to move the amendment which stands in my name as follows:—

*"In lines 1 and 5 after the words "president" insert the words
"or vice-president"*

"and for the words "of the district board of which he becomes a member under clause (b)" substitute "of whichever of the bifurcated boards they choose."

"I move this amendment as a via media between the two points of view. So I request the Hon. House to adopt it. Before I do so, I shall give just a few reasons. The Hon. the Chief Minister in his statement just a few minutes back in reply to Mr. Pannirselvam said that he was not in favour of creating many changes in the present administration during the transitory period. The Hon. Minister's original idea was that the presidents and vice-presidents ought to continue. I do not know what made the Hon. the Raja Sahib to withdraw this concession in the case of vice-presidents alone.

"The second part of my amendment refers to the question of option that may be exercised by the president or the vice-president. I do not know which part of the amendment I can move, whether the first part or the second."

* The Hon. the PRESIDENT:—"The hon. Member may move both."

* Mr. P. V. KRISHNAYYA CHOUDARI:—"That is why I am talking on both the amendments. Thanks very much, Sir.

"Sir, as far as the Hon. the Raja Sahib is concerned his first thought was to leave the things as they are so far as this Act is concerned. But now on a second thought he has changed his views probably with regard to vice-presidents. If we had allowed the Bill without referring it to a Select Committee we might have got some benefit with regard to the various provisions in the Bill. After the report of the Select Committee he has not allowed the vice-presidents to continue. When the president who is elected by the same body is allowed to continue, I do not know the reason why the vice-president who is also equally elected by the same members of the board should be deprived of this opportunity. Now some hon. Members have stated that we must give some privilege for the election of new members and for the election of presidents and vice-presidents. If we want to give some privilege to the presidents, why should that be denied to vice-presidents? I want the Hon. the Chief Minister who opposed Mr. Pannirselvam's amendment to apply the very same reasoning that he applied in opposing his amendment with regard to my amendment and extend the privilege in the case of vice-presidents also. Several hon. Members who opposed the amendment of Mr. Pannirselvam are in favour of retention of presidents. So I request them to be in favour of the retention of vice-presidents also. I see no reason why we should make

1st March 1934] [Mr. P. V. Krishnayya Choudari]

a difference between the president and the vice-president. So far with regard to the first portion of the amendment.

“ With regard to the second portion of my amendment Mr. Pannirselvam has explained lucidly about the no-confidence motions, etc. Now to avoid the trouble of no-confidence motions, I have submitted to this House a solution. The presidents and the vice-presidents can have the option of choosing as to which of the bifurcated boards they want to become presidents or vice-presidents. For example the presidents in order to get voting strength for themselves may choose to get as many members as possible to their sides. For that reason they may go to a corner place where there is not so much opposition to them, and make themselves happy. But in another portion they may not have good support to run the administration smoothly. Now to avoid such contingencies if we give option to the presidents and vice-presidents to choose whichever boards they like, it would be in the interests of proper administration. It is the duty of the Government to avoid trouble as much as possible. If they do not accept this amendment, they will be courting trouble. Supposing a board has got 52 members which is divided into two. In a particular board to which the president is returned as a member he may not have sufficient strength to support him but in the other board where he has not got a seat he may have sufficient strength to carry on the administration smoothly. In the Select Committee we have removed the disqualification on account of their residence both in the case of members and presidents. That will itself be a great facility for the president even though he happens to be a member of a board of a particular area to get the presidentship of the other board. With these few words I appeal to the Hon. the Chief Minister to accept my amendment.”

Rai Sahib C. KOLANDA REDDI:—“ I have been wondering as to why there should be this invidious distinction made between president and vice-president. For the matter of that the vice-president is elected in the same manner as the president. In fact they hold the same status. Recently the Government removed the distinction that was observed in respect of travelling allowance too. So, as I have already said, I was wondering all the while as to why they proposed to chuck out the vice-president and retain the president. After a laborious search, I stumbled upon the reason, and that is, there was absolutely no representative on behalf of these poor vice-presidents on the Select Committee and worse still, in the whole House. That is the only reason, if reason it were for drawing a distinction between presidents and vice-presidents. It is neither morality, nor justice, nor fairness to treat the vice-presidents like that. Without dilating further on this matter I propose that no distinction should be drawn between presidents and vice-presidents after the introduction of this Act. So I have tabled the amendment which runs as follows:—

“ After the words “ The president ” insert the words “ and the vice-president ” and after the words “ be the president ” insert the words “ and the vice-president ” and for the words “ he becomes a member ” substitute the words “ they become members ” and alter the other concerned rules accordingly.”

[1st March 1934]

* The Hon. the PRESIDENT:—"He need not move his amendment separately, because it is similar to Mr. Choudari's."

* Rai Sahib C. KOLANDA REDDI:—"Very good, Sir, I follow your advice. I second the amendment moved by my hon. Friend Mr. Choudari."

* Mr. T. C. SRINIVASA AYYANGAR:—"I support my hon. Friend, Mr. Choudari. The amendment of my hon. Friend consists of two propositions, viz., that instead of the president alone, as provided by the report of the Select Committee continuing in office even after bifurcation, the vice-president also may be allowed to continue in office instead of creating confusion by throwing open the office of vice-presidents alone for election. All the reasons that the Hon. the Chief Minister adduced, viz., that during the transitory period there should be no dislocation and as much as possible the *status quo ante* should continue apply equally for this purpose also. Therefore I support the first part of the amendment.

"As regards the second part of the amendment it appears to me that there is an inconsistency between clause (b) of rule 7 and the amendment.

11-45
a.m.

"By clause (b) of rule 7 it is provided that the president or vice-president can belong only to that board within whose jurisdiction the circles they represent are situated. Therefore the president or vice-president cannot choose to be the president or vice-president of the board within whose jurisdiction the circle they represent are not situated. Therefore the latter portion of the amendment does not seem to be quite in order. I would request you, Mr. President, to put the two parts separately to the vote of the House."

Mr. ABDUL HAMEED KHAN:—"Mr. President, Sir, the arguments that have been advanced by Mr. Srinivasa Ayyangar are certainly very wholesome. He has said what I myself wanted to suggest, namely, that there is a difference of opinion even among the supporters of the first part of this amendment. If the whole amendment is put to vote, there will be some difficulty. Therefore, I also suggest that the two parts might be put to vote separately.

"With regard to the first part of the amendment, I wish to point out that the Hon. the Chief Minister advanced the argument a little while ago that it was the intention of the Government not to create any unnecessary disturbance in the existing conditions and therefore the president of the existing board should be the president of one of the bifurcated boards. The same argument can equally forcibly be advanced with regard to vice-presidents also. I have not so far heard any argument for disturbing the vice-president while retaining the president. If the Government want not to disturb the president, I do not see why the vice-president should be disturbed and fresh election

1st March 1934] [Mr. Abdul Hameed Khan]

held in his case. All the troubles of an election will have to be undergone by the new district boards if the vice-presidents are to be disturbed and fresh elections held. If the Hon. the Chief Minister had proposed that the vice-president should be the president of the new board, and the president should be the president of the existing board, we would have understood him. Evidently he has not done so and does not propose to do so. Such being the case, I hope, Sir, that the Hon. Minister would agree to this proposition which is supported by his own logic and not disturb the existing vice-presidents from their places."

Mr. R. M. PALAT:—"Mr. President, Sir, as Mr. Hameed Khan has said, it is better to put these two propositions to vote separately. I want to say a few words on the second proposition put forward by Mr. Krishnayya Choudari, namely, that the president should be allowed to choose whichever board he likes after the board is bifurcated. When he puts forward that statement, I think he forgets that the constituency from which the president has been elected as a member will be disfranchised if the president chooses to be the president of the other board within whose jurisdiction his constituency is not situated. It will be unfair to that constituency not to have a member of its own on its own board and allow its representative to go to another board which does not administer the affairs of the board of which that constituency forms part. I submit, therefore, that on principle, it is wrong to allow the president to choose whichever board he likes. He must be made to stick to the board within whose jurisdiction his constituency lies."

Mr. DANIEL THOMAS:—"Mr. President, Sir, reason and logic are quite as much in favour of the vice-president as in favour of the president. Every one of the arguments advanced by both sections of the House in support of the proposition that the president of a bifurcated district board should not be disturbed applies with equal force and cogency to the case of the vice-president also. If the Government were to say that the president alone was not to be disturbed, while the vice-president might be asked to seek re-election, it would appear as though the Government wanted to conciliate the big-wig of a district board president while they were prepared to throw the underdog of vice-president to the wolves."

Mr. K. P. RAMAN MENON:—"Mr. President, Sir, I too suggest that the two parts might be put to vote separately. The first part of the amendment seeks to confer on the vice-president the same privileges that are conferred on the president. As has been pointed out by several hon. Members, all the reasons that go in favour of the president apply equally to the case of the vice-president also. There is also this further fact to be borne in mind. In some boards, to avoid friction and faction, arrangements are arrived at by which a prominent member is given the president's place and another prominent member, perhaps

[Mr. K. P. Raman Menon] [1st March 1934]

a little less prominent than the other, is given the vice-president's place. If this sort of arrangement among the members is sought to be respected in the new enactment so far as the president is concerned, there is no reason why that should not be respected even in respect of the vice-president. That is another reason I would advance in support of the suggestion to extend this privilege to vice-presidents also. With reference to the second suggestion put forward by Mr. Choudari, no doubt there will be the difficulty pointed out by Mr. Srinivasa Ayyangar, but that can be got over if an amendment is moved to Mr. Choudari's amendment, namely—

'Add at the end of the words, "notwithstanding anything contained in rule 7 (b)."'

Then there will be no inconsistency whatsoever. With your permission, Mr. President, I move the amendment."

Mr. G. R. PREMAYYA:—"I second it."

* Mr. P. V. KRISHNAYYA CHOUDARI:—"I accept the amendment."

* The Hon. the RAJA OF BOBBILI:—"Mr. President, Sir, as regards the first part of the amendment, I have to point out that it was the intention of the Government to give this protection to the district board president only. But in the drafting of the Bill, by an oversight vice-presidents also were included. Of course, the objection from my point of view is this. In a bifurcated district board, the vice-president and the president may belong to different district board areas. Therefore there would not be that amount of co-operation between the president and the vice-president which is necessary and desirable in the interests of the administration. I have therefore to oppose the amendment. As regards the second part of the amendment, on principle it is objectionable that a member who does not represent a constituency in the district should be the president of that district board. And, as has been pointed out by Mr. Srinivasa Ayyangar, such a course will be inconsistent with the main provisions of the Act. I therefore oppose both parts of the amendment."

* Mr. P. V. KRISHNAYYA CHOUDARI:—"Sir, the Raja Sahib said that it was not the intention of the Government to include the vice-presidents also and that it was only by oversight that they were included in the Bill. Perhaps that shows that justice demands that vice-presidents should get the same privileges as presidents, and at least for that reason, the Raja Sahib might have allowed the clause to remain as it was, even though it was against his wishes.

"With regard to the second part of it, when we have provided that the president should be at the district headquarters and removed the residential qualification so far as members are concerned, when we have accepted amendments to that effect, I do not see why we should not accept this amendment also. I request the Hon. the Chief Minister to accept the amendment permitting the president to choose

1st March 1934] [Mr. P. V. Krishnayya Choudari]

the board in which he has a majority. Otherwise, suppose in the board in which he has to be the president, there happen to be only ten members supporting him and twenty members opposing him. Although the Government make him the president of the board, the board may remove him the very next month by passing a motion of no-confidence against him. Not only that, the other board in which he has got a majority of supporters would have elected another president of its own by the time he is removed by a no-confidence motion in the other board. Thereby, he will be deprived of an opportunity to be president of either board. Considering this aspect of the question, I request the Hon. the Chief Minister to accept my amendment. So far as the objection raised by Mr. Srinivasa Ayyangar is concerned, it can be overcome by the amendment proposed by Mr. Raman Menon. Therefore there will be no technical objection to the amendment. For these reasons, I request the Hon. Chief Minister once more to accept the amendment."

Rai Sahib C. KOLANDA REDDI:—"Have I got a right of reply, Mr. President?"

* The Hon. the PRESIDENT:—"No."

"I shall put the first part of Mr. Krishnayya Choudari's amendment to vote."

"The question is that—

In line 1 and 5 of rule 7 (g) (i), after the word 'president' insert the words 'or vice-president.'"

The amendment was declared lost. A poll was demanded and the House divided thus:—

Ayes.

1 Dr. P. Subbarayan.	14 Mr. M. S. Sreshta.
2 Mr. T. C. Srinivasa Ayyangar.	15 " P. V. Krishnayya Choudari.
3 " T. S. Ramaswami Ayyar.	16 " C. Indrayya.
4 " V. T. Arasu.	17 " J. Kuppuswami Choudari.
5 " A. B. Shetty.	18 " H. B. Ari Gowder.
6 " Abdul Hameed Khan.	19 " G. R. Premayya.
7 " Basheer Ahmed Sayeed.	20 " P. M. Thangal.
8 " U. C. Subrahmanya Bhatt.	21 Rai Sahib C. Kolanda Reddi.
9 " K. A. Nachiyappa Gounder.	22 Mr. B. P. Sesha Reddi.
10 The Pattagar of Palayakkottai.	23 " G. Lakshmana Reddi.
11 A. M. Ahmed Meeran Sahib Bahadur.	24 " Daniel Thomas.
12 Mr. K. P. Raman Menon.	25 " G. Simhachalam Pantulu.
13 Diwan Bahadur C. S. Ratnasabhapati Mudaliyar.	

Noes.

1 The Hon. Khan Bahadur Sir Mahomed Usman Sahib Bahadur.	3 The Hon. Sir Archibald Campbell.
2 " Diwan Bahadur Sir M. Krishnan Nayar.	4 " Diwan Bahadur S. Kumaraswami Reddiyar.
	5 " the Raja of Bobbili.
	6 " Mr. P. T. Rajan.

[1st March 1934]

Noes—cont.

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| 7 Mrs. K. Alamelumangathayaramma. | 24 Mr. P. C. Moses. |
| 8 Diwan Bahadur V. N. Viswanatha Rao. | 25 „ P. V. Rajagopal Pillai. |
| 9 Mr. J. A. Thorne. | 26 „ V. G. Vasudeva Pillai. |
| 10 „ H. M. Hood. | 27 „ W. P. A. Soundarapandian. |
| 11 Diwan Bahadur N. Gopalaswami Ayyangar. | 28 „ P. Bayappa Reddi. |
| 12 Mr. R. Madanagopal Nayudu. | 29 „ P. K. Ramachandra Padayachi. |
| 13 „ E. Conran Smith. | 30 Rao Sahib V. Dharmalingam Pillai. |
| 14 Khan Sahib Syed Tajuddin Sahib Bahadur. | 31 The Kumararaja of Venkatagiri. |
| 15 Mr. M. D. T. Ranganatha Mudaliyar. | 32 The Zamindar of Mirzapuram. |
| 16 Rao Bahadur A. T. Pannirselvam. | 33 Mr. M. A. Muthiah Chettiyar. |
| 17 Mr. K. C. M. Venkatachala Reddiyar. | 34 „ K. M. Duraiswami Reddi. |
| 18 „ G. Ranganatha Mudaliyar. | 35 Rao Sahib P. Subrahmanyam Chetti. |
| 19 Khan Bahadur Yahya Ali Sahib Bahadur. | 36 Mr. H. M. Jagannatham. |
| 20 Mr. M. Devadasan. | 37 Rao Bahadur D. Krishnamurti. |
| 21 Subadar-Major S. A. Nanjappa Bahadur. | 38 Rao Sahib C. Jayaram Nayudu. |
| 22 Mr. M. Vedachala Mudaliyar. | 39 Diwan Bahadur A. Appadurai Pillai. |
| 23 „ G. Sriramulu. | 40 Rao Sahib D. V. Narasimhaswami. |
| | 41 Mr. A. Harischandrudu Nayudu. |
| | 42 „ K. Kesavaramamurti Nayudu. |
| | 43 Rao Bahadur C. Natesa Mudaliyar. |
| | 44 Mr. Basu Dev. |
| | 45 „ R. M. Palat. |
| | 46 The Raja of Parlakimedi. |
| | 47 Mr. A. McG. C. Tampoe. |

Neutral.

- | | |
|--|---------------------------------------|
| 1 Mr. V. M. Ramaswami Mudaliyar. | 4 Diwan Bahadur S. Ellappa Chettiyar. |
| 2 Khan Bahadur Mahmud Schamnada Sahib Bahadur. | 5 Mr. V. P. Narayanan Nambiyar. |
| 3 Mr. M. B. Rangaswami Reddi. | |

Ayes 25. Noes 47. Neutral 5.

The amendment was lost.

* The Hon. the PRESIDENT:—“The question is—

‘and for the words “of the district board of which he becomes a member under clause (b)” substitute “of whichever of the bifurcated boards they choose, notwithstanding anything contained in rule 7 (b)”’.

The amendment was lost.

Rao Bahadur A. T. PANNIRSELVAM:—“Sir, when I gave notice of my last amendment I anticipated the decision of the House and therefore I gave notice of this alternative^a amendment also, because it seemed to me that this would naturally and logically follow from

Rule 7 (g).

^a Rao Bahadur A. T. PANNIRSELVAM:—

54 Renumber sub-clauses (ii) and (iii) as sub-clauses (i) and (ii) and omit from sub-clause (i) so renumbered, the following words:—

“where by the operation of sub-clause (i) no person becomes the president of a district board.”

If this should not be carried, omit from sub-clause (i) as so renumbered the words from ‘the members of the board’ to the end and substitute the following:—

“The Local Government shall nominate a president from among the members of such board.”

1st March 1934] [Mr. A. T. Pannirselvam]

the decision which has been arrived at over the last amendment which I moved. But seeing that in all matters pertaining to the present district board presidents and prospective candidates for presidentship, logic and argument do not appeal to this House, I do not move this amendment."

Rule 7, as amended, was put and carried.

Rule 8.

* Rao Bahadur A. T. PANNIRSELVAM:—"Sir, the amendment I have given notice of is this and I move it:—

'54-A. For rule 8 of the schedule substitute the following:—

"The officers and servants of the taluk and district boards in each district, shall, at the commencement of this Act, be deemed to belong to a single district establishment for the purpose of fixing, under the provisions of sub-section (3) of section 67 of this Act, the number, designations and grades of the officers and servants of the district board or boards re-constituted in each district and such persons as may be thrown out of employment shall, subject to such directions as may be issued by the Local Government, have preference in future appointments under the district and panchayat boards so long as such persons desirous of such preference are available and continue to be qualified and suitable for the posts."

"My amendment is merely this; according to the Bill, as reported on by the Select Committee, the moment this Bill comes into force all persons who are serving under the various taluk boards will be automatically thrown out of office, whatever period of service they may have put in, whatever may be the scale of pay they may be drawing and whatever inconvenience they may be put to. On the other hand, the latest recruit to the district board service who might be very much younger than members of the taluk board service, who may be an acting clerk on the lowest scale of pay and quite a young man and who can seek out his service elsewhere,—would be perfectly safe. My amendment aims at equalizing things between the servants of the district boards and those of the taluk boards. In considering the merits of the amendment of which I have given notice, it might perhaps be better to trace the history of local board services. It is only during the last ten years or a little over ten years that local boards have come under non-official management and superintendence. Previous to that, the district board was presided over invariably by the Collector of the district and the taluk boards in almost all cases by Revenue Divisional Officers. The persons serving the various local boards were under the control of the Collector in his capacity as president of the district board. But for all practical purposes, it was almost a quasi-Government service. It was nothing unusual for persons who have put in some service in a district board, to be drafted into regular Government service and promoted in

[Mr. A. T. Pannirselvam]

[1st March 1934]

the usual course, taking into account the service they have put in district boards. To-day there are men acting as senior tahsildars and deputy collectors, who began service as Rs. 15 clerks under the district board, and people who entered the district board service or the taluk board service in those days, do still continue to serve under the district boards in certain other cases. Therefore in the case of people who entered the local board service, say, about 15 years ago, or a little over that, entered service in the hope and with the prospect and advantages of getting into Government service. When the local boards were transferred from official control to non-official superintendence, local board service was, so to say, put into a separate compartment altogether. The prospect of entering Government service with its greater advantages was removed from them. But apart from this, so far as I know we have not been treating the district board service as something distinct from the taluk board service. Any change of service between the various boards in one district was no uncommon event. As a matter of fact, under the rules regulating the recruitment of servants to local boards—in the case of appointments carrying a scale of pay beyond Rs. 50 though the men had to serve under a taluk board, the appointment had to meet with the approval of the district board president, even in cases of original recruitment. Cases again are not wanting of young men who have put in five or six years of service and who have no immediate prospect of promotion in district board service, volunteering or sometimes even being directed to come over from district board service to taluk board service because of better prospects there. So far as the district of Tanjore is concerned, most of the head clerks now working in the various taluk boards were really men who entered service under the district board or who had been trained in the district board; either they volunteered or they were asked to be sent out because of exigencies of the situation, as head clerks of taluk boards. For all practical purposes, service under district boards and service under taluk boards have always been treated as belonging to one unitary service. It seems to me that, after having listened to the last sermon about the sanctity of pledges of employers to servants, by the Finance Member in his Budget speech, we should view the case of these servants who are going to be thrown out of employment for absolutely no fault of their own and with hardly any notice, with as much sympathy and consideration as possible. I do not advocate that they should be retained even if we find that there are no places for them. But then we are creating a situation which deprives them of the places which they are now occupying. Though this consequence may be quite inevitable—consequence of the action we take in the larger interest of the country—it seems to me that we should treat their cases as sympathetically as possible. Some of the advantages, the more immediate advantages which would accrue from accepting my proposition would be this. If you send out all taluk board servants on the coming into force of this Act, you will be sending out men, men with large responsibilities, with big families, men who had absolutely

1st March 1934]

[Mr. A. T. Pannirselvam]

no danger of the future even at the commencement of this year, men who could not turn to any other avocation at this age of their lives. You will be turning them out. On the other hand, if you accept my proposal you will be retaining these men who have put in long service, who are drawing salaries of 80 or 90 or 100 rupees and you will be sending out—if you send them out at all—naturally younger men whose services in the ordinary course of events, would not exceed three years; we are making provision for taking them at as early a date as possible. I hope the Government would certainly act in such a manner as not to leave it to the whims and caprices of district board presidents but to regulate it by rules in such a manner that those persons would be absorbed at as early a date as possible. I ask hon. Members of this House to consider the matter carefully; they should send out persons who are not fairly advanced in age and who are not getting fairly high pays and who have got minimum demands on their purse; we can ask them to be away for a few months; they will of course get places in the district board in a short period. But men who are advanced in age and who have great responsibilities cannot certainly afford to wait even for a few days in a year. Considering the inconvenience which we are causing to these two sets of persons, I do certainly think that the argument would be in favour of my proposition being accepted. I am sure, Sir, that whatever decision the Select Committee might have come to on this matter, apart from the logic of the situation, I would merely close with the hope that a sense of fairness, a ¹²⁻¹⁵ sense of justice and may I say, Sir, a sense of mercy would actuate ^{P.M.} our attitude towards these people who will be thrown out of office."

* Mr. M. DEVADASAN:—"Mr. President, Sir, in seconding the amendment of my hon. Friend, Mr. Pannirselvam, I would like to say a few words about the employees of taluk boards who are going to be thrown out of their employment."

* The Hon. the PRESIDENT:—"The hon. Member may speak louder."

* Mr. M. DEVADASAN:—"I hope the Hon. the Chief Minister will consider the points that have been explained by the hon. Mover and accept the amendment without any difficulty. I understand that the taluk board employees waited in deputation upon the Hon. the Chief Minister and represented to him their grievances."

* Mr. C. BASU DEV:—"Mr. President, Sir, in rising to support this amendment I do not think I can add anything to the very exhaustive and eloquent arguments advanced by one who has served as president of a district board for several years with such great credit as my hon. Friend, Mr. Pannirselvam. But I would like on this occasion to make one or two observations, that is, the employees of the taluk boards and the employees of the district boards should all be recognized as servants of the same district board and liable to the same joys and sorrows. Before I say anything further, let me not

[Mr. C. Basu Dev]

[1st March 1934]

be understood as in any way standing in the path of reforms of the local self-government institutions because of the unhappiness or discomfort of a few hundred employees spread over the Presidency. Wherever it is possible to help these employees, I would earnestly appeal to the Government to extend their sympathy and kindness and render them effective protection and help.

“ Sir, I understand that the taluk board employees as well as the district board employees are all members of the same common district provident fund institution. I also learn that some of the taluk board employees were some time back servants of the district boards and some of those were transferred from the district boards to taluk boards against their will by the district board presidents. Till the year 1932, presidents of district boards had full power to transfer the servants of not only district boards but also servants of taluk boards from one place to another or from one board to another board. As a matter of fact recently the Government contemplated forming district units for these employees but did not pursue the matter further on account of the adverse attitude of the district board presidents. In these circumstances, it will be a great hardship, if the Government should fail to recognize the common employer, the district board, which all these employees have been serving. My Friend, Mr. Pannirselvam, referred to the kind and sympathetic solicitude of the Hon. the Finance Member in regard to Government servants and I am sure that that solicitude represents the attitude of the whole Government. I hope that the Hon. the Chief Minister who is in charge of local self-government institutions and their employees will also extend to them that sympathy in the same measure and concede to the taluk board employees the rights that are enjoyed by their brethren employed in the district board. This amendment only asks that they should be treated in the same manner as the employees of district boards and I do not think the taluk board employees are asking for anything more than the barest justice. The Hon. the Minister may say that instead of one particular set of people suffering, you want that another set of persons who are not for the present affected should be affected, but I have already answered that probable argument by saying that the taluk board employees as well as those of the district board are employees of the same local fund service of the district and should be equally liable to the same privileges and liabilities. With these few words, I have great pleasure in appealing to the Hon. the Chief Minister to accept the amendment.”

* The ZAMINDAR OF MIRZAPURAM:—“ Mr. President, Sir, I rise to support the amendment of my Friend, Mr. Pannirselvam. I think it is only fair that the taluk board servants and district board servants should be treated alike. Till recently, the presidents of district boards had power of transferring these servants of local boards from one taluk board to another even against their will. There are some taluk board servants who have been drawing higher salaries than some of the

1st March 1934] [The Zamindar of Mirzapuram]

servants of the district board and it would be very hard if all the taluk board servants should be asked to vacate their offices and go away at this juncture especially after they have put in many years of service in the local boards. Sir, taluk board servants should be given the same treatment as those of the district board. I know, Sir, recently in my district some of the clerks of the district board were sent to some of the taluk boards and now because they are at present in those taluk boards, unfortunately they have to lose their appointments. If the Government are not prepared to accept this very reasonable amendment, I request that Government will at least see that all the acting people in the district board service and those persons whether they were confirmed or not within a period of about one year, are sent away and all the taluk board servants who have put in longer service, are absorbed in the district board service and thus help the poor servants of the taluk boards. By means of this amending Bill, we are in a way dissolving both the district and taluk boards and I do not see any reason why the taluk board servants alone should be given a different treatment from those of the district board. Of course the transitory provisions in this amending Bill give power to the Local Government to frame rules and give directions to the district boards concerned for appointing new clerks after the commencement of the new Act. So far as my district is concerned, Sir, I know several cases where the district board president has appointed clerks even in anticipation of sanction of the district board, and now if these clerks also are given the same treatment as other servants of the district board, it would be most unfair. I therefore request the Hon. the Chief Minister to see that justice is done to the clerks of the taluk boards that are going to be abolished. With these remarks I heartily support the amendment of my Friend, Mr. Pannirselvam."

* Mr. P. V. KRISHNAYYA CHOUDARI:—"Mr. President, Sir, I have also great pleasure in supporting the amendment moved by my hon. Friend, Mr. Pannirselvam, for the reason that we should try to make the local board services as one unit of the district instead of keeping separate services as district board service, taluk board service and so on. Now, section 71 of the Local Boards Act provides for the transfer of the members of the establishment of the taluk board to the district board and vice versa, though about two years ago, Government have issued an order restricting district board presidents not to make such transfers without previous consent of the concerned taluk board presidents. As a matter of fact, when I was president of the taluk board, I sent one inefficient clerk from my taluk board office to the district board office and took instead an efficient clerk. Now according to this rule, that poor efficient clerk in whom I had confidence, will be deprived of his job, whereas the inefficient clerk whom I sent will be benefitted. Again that clerk who has put in some 10 or 12 years of service in the district board, simply because he happens to be employed at present in the taluk board will have to suffer on account of this

[Mr. P. V. Krishnayya Choudari] [1st March 1934]

legislation. It is really a great injustice to such persons. Considering all these anomalies, and considering also the qualifications, efficiency, communal representation and security of tenure, I request the Hon. the Chief Minister to see that all these services are considered as one unit of district board administration. Now, there are some people who have put in a service of about 25 or 27 years who are eligible to full pension on account of their past service and there are also others who though they are not eligible to pension, they have got their provident fund and if they put in some more years of service they will become eligible to full bonus of the provident fund. I suggest that these might be made to retire, even by giving the full pension or bonus to which they are entitled after a service of 25 years.

“Then again, Sir, the Hon. the Chief Minister stated yesterday that persons belonging to the education and medical branches of the taluk board will be provided in the district board. I do not know whether the district boards will actually take persons serving in those departments and those paid from the Elementary Education Fund are going to be taken on to the district board or whether they are going to take the concerned clerk from the taluk board and these are matters which have to be elucidated by the Hon. the Chief Minister. For instance if the clerk who has been in charge of the Elementary Education Fund in the taluk board for the last several years, is not taken over to the district board, it will be another trouble. Instead of giving room for all these complications, it would be better if the whole local board service is made into one unit and people are discharged in the order of service. This procedure seems to me to be a more reasonable one to follow. As the Raja Sahib of Mirzapuram has stated that people who have put in two or three years of service and who are acting in the district board have to be continued and that the people who have put in 20 years or 15 years service in the taluk boards have to be discharged it is nothing but cruel. But though the Raja Sahib has stated that it should be only for a period of one year, I am not in agreement with the last portion of what he said, because it is more personal I think. Because he has vacated his seat about a year or a year and a half ago, he has put in the last portion as one year. But I am not in agreement with that. But I agree with the general principle enunciated, that is, people who have put in a few years service can be discharged and those who have served for long periods in the taluk boards can be retained. I would request my hon. Friend, Mr. Pannirselvam, to also add communal representation. If he has not got any objection and if the Chair permits me, I will add that amendment, instead of moving my amendment No. 59 lower down, because all these amendments contain more or less the same principle. I just want to know the opinion of the Chair whether this can be added to the present amendment.”

* The Hon. the PRESIDENT:—“The hon. Member may draft an amendment and hand it over to me.”

12-30
p.m.

1st March 1934]

* Mr. V. P. NARAYANAN NAMBIYAR:—“ Mr. President, I rise to give my fullest support to the amendment that has been moved by my hon. Friend, Mr. Pannirselvam. The amendment embodies but a reasonable demand of the taluk board employees. A very sad aspect of the abolition of the taluk boards is the possibility of a large number of men who have served local bodies honestly, efficiently and well for many years being thrown out of work. In these days of acute economic depression and large unemployment, a special responsibility rests with this House to deal with the fate of the employees with sympathy and care. These unfortunate employees have to go for no fault of theirs.

“ Apart from the above humanitarian reason, the history of the local bodies as narrated by my hon. Friend, Mr. Pannirselvam, makes it clear that there is no point in differentiating between taluk board employees and district board employees. My hon. Friend, Mr. Krishnayya Choudari, a former taluk board president, has frankly owned that he had during his regime as a president sent an inefficient clerk to the district board and got from the district board an efficient clerk for his taluk board. We do not know how many more taluk board presidents would thus have contributed to the inefficiency of the district boards. Anyway, the fact remains that interchange of clerks is also a question to be borne in mind. Persons who have served district boards well for a long number of years and who were sent for the more efficient work of taluk boards to those bodies to be now told that the two services cannot be treated as one is indeed to be unfair and unjust to them.

“ Reliance has been placed by my hon. Friend, Mr. Pannirselvam, also, on the observations of the Hon. Gentleman, the Finance Member, regarding the security of tenure of employees. That too should be taken note of in arriving at a decision in the matter.

“ Sir, my hon. Friend, Mr. Pannirselvam, has also pointed out that in case it is not possible to absorb all the employees at once the amendment suggests preference being given to persons thrown out whenever vacancies occur in future. That also proves the demand is absolutely reasonable and I support the amendment.”

* Rai Sahib C. KOLANDA REDDI:—“ Mr. President, Sir, it is said in many quarters that this Bill is a harbinger of a crop of evils and I am afraid this throwing out of employment of the taluk board staff appears to be the worst of these evils. Now, Sir, we all crave for democracy. We have been pining for democracy because we believe that democratic government will be human and humane. And we want to slip away from bureaucracy for the obvious reason that it is supposed to be a machine sans feeling, in short sans human touch about it. But unfortunately here we have democracy and in the fair name of democracy we are sacrificing so many individuals by one stroke of the pen. In these hard times, it is terribly hard for these poor people who have

[Mr. C. Kolanda Reddi]

[1st March 1934]

been in the employ of these taluk boards for years together, almost throughout their lives and without any other avocation or any other means of subsistence, now to be all on a sudden thrown out of employment. Some consolation is offered by a provision in this Bill that if they go on waiting and waiting, God knows how long, perhaps until the Greek calends, a day will come when they will be taken up either by the district board or any panchayat board. And this is more or less adding injury to injury. When they are asked to wait, it is not known what they are expected to do during the waiting period. Perhaps they may be willing to obey the orders of the Government, and may wait, but will their bellies wait too, I wonder? So, it is rather unfortunate that such a proposal should emanate from the Government. Now, Sir, my idea is that these people who are all thrown out may be merged or absorbed in the district board staff and then retrenchment may be effected according to seniority, efficiency, communal rotation, etc. That will be some consolation. Instead of that, throwing out all these people who have put in service of about 20 years or less and for absolutely no fault of theirs, asking them to wait and wait is *reductio ad absurdum*. It is a well-known fact that the district board presidents were equipped with power until recently to appoint clerks on more than Rs. 50 per month and transfer them from the district board to taluk boards or to make inter-board transfers, that is, from one taluk board to another. Now under this power, these presidents have sent away people from the district board to various taluk boards of course in the interests of efficiency or it may be for some other reasons. But whatever it may be, there the fact remains that many of these head clerks in the taluk boards belonged originally to the district board, and those people came to the taluk board not *suo motu* or willingly. Even against their consent some of them were transferred to the taluk boards. Now, Sir, if at all anybody is to blame for their remaining in the taluk boards, it is the district board president concerned. And I should like to know why for the folly of the district board president concerned these men are made to pay the penalty. So, looked at from all points of view, it is rather inhuman that such a large number of people who have no other means of subsistence should be asked all on a sudden to quit service for good. I am very glad to see, Sir, that at least in this respect myself and my friend, the Zamindar of Mirzapuram are in agreement. ('Hear, hear.') At least for this, I earnestly request the Government to adopt the amendment given notice of by me, that is, to add the following paragraph at the beginning of rule 8 of the Transitory provisions:—

'The staff of the abolished taluk boards shall be absorbed in the staff of the district board and retrenchment shall be effected according to seniority.'

Of course, you may add communal rotation also. So I think this appears to be the panacea for all the evils that are engendered in this respect by this Bill. Therefore in the name of democracy and in the

1st March 1934]

[Mr. C. Kolanda Reddi]

name of humanity as well, I hope and trust that the whole House, irrespective of parties, will join with us, the Movers of this amendment, and help the poor employees of the taluk boards out of the present dilemma."

* Khan Sahib SYED TAJUDDIN SAHIB Bahadur:—" Mr. President, Sir, this motion has already been discussed threadbare on the floor of this House. Prominent members of this hon. House, members who are competent to express an opinion on this subject have already advanced cogent reasons on behalf of the taluk board employees. Therefore I have very little to add on this subject. But yet, if I rise to speak or to offer a few remarks, it is only to express my opinion according my fullest support in favour of the employees of the taluk boards. Mr. President, these employees are interchangeable from district board to taluk board, and from taluk board to district board. This is the only point I wish to impress upon the House. When such posts are interchangeable, where is the justification for turning these poor employees out of employment? I believe that all sections of this House have already been convinced of the justice of the cause of these poor taluk board employees.

" And I know, Sir, that the milk of human kindness is not curdled in the breast of the Hon. the Raja of Bobbili, the Chief Minister in charge of this portfolio. He will, I hope, do his utmost to save these unfortunate beings from the clutches of misfortune. Sir, it will be a very great hardship if these poor employees are made the scapegoats for the financial stringency whatever it might be. They are not responsible directly or indirectly for this financial strain and why should they be sacrificed on that ground? Administration might be faced with grave financial considerations. But at no cost should these poor employees be turned out of service. On the other hand, they ought to be saved from this predicament as they are not responsible for any financial strain. I, therefore, Sir, have got very great pleasure in supporting the motion before this House."

* B. POCKER SAHIB Bahadur:—" Mr. President, Sir, I have no doubt that it is my duty to oppose this amendment and that too strongly. I am afraid that the Mover of this amendment and those who have spoken in support of it have not considered another aspect of the question which they ought to have taken into consideration. The result of the section as it stands and as passed by the Select Committee is that the persons who are thrown out of employment by the abolition of the taluk board, will be preferred in the matter of employment of new hands in the district board according to such principles as the Government may prescribe. The result of this amendment is that both the present employees of the district board and the present employees of the taluk board should be taken as one unit and when the taluk board is abolished, the juniormost people out of the joint number consisting of the employees of the district and taluk boards should be sent away according to some principle or other. The result is that the seniormost

[B. Pocker Sahib Bahadur] [1st March 1934]

employees of the district board and the seniormost employees of the abolished taluk boards will be there and the juniormost employees of the district board and the taluk boards will all be thrown out of employment. I certainly do feel as strongly for the people who are to be thrown out by the abolition of the taluk board as the hon. Mover and other supporters of the amendment. But, at the same time, one has to take into consideration what its effect is upon others who are already employed in the district board. It is the district board that is retained and it is the taluk board that is to be abolished. The result of the amendment is, as a result of the abolition of the taluk board, some of the staff of the district board which is not abolished are to be sent away. I shall use the very same phrase which the hon. Mover and some others have used. They are being sent away for no fault of theirs. The juniormost employees of the district boards are to be sent away, not only for no fault of theirs, but for no fault of the district board too, because their board has not been touched, but still they are to go out. I do not know, Sir, what is the principle of fairness or justice underlying in sending away number of employees from the district board which is not abolished simply because some other body has been abolished. There is absolutely no justice in sending away people from the staff of the district board which has not been touched by the Bill. After all, what is the reason alleged? The reason is that once upon a time the employees of the taluk board and the district board formed one unit called 'Local Fund Service.' Even that is questioned by Mr. Schamnad, who knows more about it than myself and who is himself the president of a taluk board. I can also say that he has spent his whole life in the administration of local bodies. It is not just or proper to do anything which will have the effect of sending away some of the staff of the district board which has been left untouched by this Bill. Therefore, I say there is absolutely no justice in proposing this amendment. In fact, I do feel that the amendment has been proposed on account of the many representations made by the taluk board employees—I too have received ever so many representations as several Members of this House—resolutions passed by the taluk board employees. The reason why the district board employees have kept quiet is that they know nothing about it. They are in the dark about this amendment. According to the Bill as it has come out of the Select Committee, they are absolutely clear that their position will be left unaffected. It will be a stab from behind so far as the employees of the district boards are concerned, if we are to pass this amendment. Because one fine morning they will find that they will be sent away. The taluk board staff have had sufficient notice. The proposal for the abolition of the taluk boards and the consequential sending away of its employees were before their minds and that is the reason why they are very vociferous and those representations are moving our tears. If only some of the staff of the district boards know what we are proposing to do, perhaps their tears will be much more than the taluk board employees'.

1st March 1934]

[B. Pocker Sahib Bahadur]

I do say that it will be very unfair and unjust to send away the staff of the district board in order to give employment to the staff of the taluk board. In fact, you will be robbing Peter and paying Paul. That will be the result of this amendment. There is another ground on which also I will put my view on this point. In the matter of retrenchment, the Government was acting on the principle that in sending away people it is the juniormost that ought to be sent away and the seniormost should always have preference. I do not know, Sir, whether that principle is a just or a sound one. That principle also ought not to be applied in that form without any kind of modification. The juniormost people have as much right to exist and their position is as miserable as that of the seniormost. That the juniormost men can find employment anywhere cannot be substantiated in the state of depression and unemployment that prevail at present. At least the seniormost men have had their days, and would have earned something, and laid something by. The juniormost people's position is very miserable. By this amendment, the juniormost both in the taluk and district boards will be thrown out of employment and their position will be one of extreme misery. Then I would also like to point out another aspect of the question, namely, the effect of the amendment on minority communities. I can very well say without fear of contradiction that so far as the minority communities are concerned, it is only very recently that minority communities have had occasion to get employment in either the taluk board or the district board. I do not deny that there are some members of minority communities in the senior ranks of the staff of the taluk board and the district board. But most of them are persons who have been recently employed both in the taluk board and district board. If this amendment is given effect to, the result will be that the members of the minority communities in both the taluk board and the district board will be very seriously affected and they will be nowhere either in the taluk board or in the district board. On these grounds, Sir, I oppose this amendment."

* Diwan Bahadur C. S. RATNASABHAPATI MUDALIYAR:—" Mr. President, Sir, the existing presidents of the local boards and some of the ex-presidents have spoken in favour of this amendment. It falls to my lot to oppose this amendment. Before speaking against this amendment, I should trace how the scales of pay of taluk board staff have been increased during the last twelve years, ever since the Amendment Act of 1921 came into force. During these years, there have been four general elections of the taluk boards and you can take it from me that the scales of pay have been revised and enhanced at least on four occasions. If you take the scales of pay before 1921 the maximum was only Rs. 40, and in exceptional cases it was Rs. 50. The minimum pay was only Rs. 15 or Rs. 20. If you now take up the scales of pay, you will find that the maximum in most cases is more than Rs. 100 and I know so far as the taluk boards in Coimbatore district are concerned in some cases in addition to their pay they also draw personal allowances. As I told

[Mr. C. S. Ratnasabhapati Mudaliyar] [1st March 1934]

the House, the pay went on being enhanced and the taluk boards have come to grief on account of topheavy administration. If you want to perpetuate the same thing in the new boards, I am sure the scheme will be given the go-by and it will not be successful.

1 p.m. "Besides, I have got greater sympathy for the clerks in the lower scales. Those in the higher scale are senior people and their number is greater. Further, what will be the financial effect of this amendment should also be considered by the Council. A district board will have one head clerk on Rs. 150—200, two clerks on Rs. 80—100 or Rs. 120, etc. If this amendment is passed, you may have to take all the head clerks of the taluk boards into the district board, i.e., all the ten of them on Rs. 80 to Rs. 120."

Rao Bahadur A. T. PANNIRSELVAM:—"It was never my intention, in moving this amendment, that the hands of the Government should be tied with respect to the rates of pay. I am concerned only with the persons who will be thrown out."

* Diwan Bahadur C. S. RATNASABHAPATI MUDALIYAR:—"If the Government should get the local boards to revise the scales of pay and if lower scales are fixed, the result will be that people who are drawing higher scales of pay will get preference and those in the lower scales of pay—all the new men better qualified than the people in the higher scales of pay—will be thrown out. I do not think it is the intention of the House that the people who have been longer in service and have been enjoying larger emoluments should be given preference to people who have just entered service as members belonging to unrepresented communities. As I said, as against two people in the district board drawing Rs. 80 to Rs. 100 you will have to provide employment to ten people on Rs. 80 to Rs. 100. I may inform the House that in several taluk boards the lowest scale of pay for clerks is Rs. 40 to Rs. 60 as against Rs. 35—1½—50 in Government service. If this amendment is accepted, I am sure, the scheme adumbrated in the Bill will prove a failure on account of its financial implications. With these few words I oppose the amendment."

* Mr. K. A. NACHIYAPPA GOUNDER:—"Sir, with your permission, I beg to move the following as an amendment to the amendment of Mr. Pannirselvam:—

'Omit the words commencing from "such persons" in line 7 to "by the Local Government" in line 9 and substitute in its place "then if necessary retrenchment may be made in accordance with the principles laid down in G.O. No. 486, Public (Services), dated 31st March 1932, and allowing concessions as laid down in G.O. No. 124, Finance (Pension), dated 24th March 1932. The persons thrown out of employment shall", and

'Omit the words in line 11 and onwards "so long as such persons . . . for the posts."'

1st March 1934] [Mr. K. A. Nachiyappa Gounder]

The object of my first amendment is to see that no trouble and anxiety are evolved in or before framing rules and other things and that retrenchment may be made in accordance with the methods adopted by the Government for retrenchment in Government service. This will minimize the anxieties of many of the clerks now in employ of local boards since they know now itself what are the rules to be adopted to decide their fate. From the many representations that we have received from the employees of taluk boards we find that they will be satisfied if retrenchment is made on the principles laid down in the said Government Orders.

“As regards my second amendment I too feel, Sir, that there is some difficulty in it, but my object in moving it is to know what is the exact and precise meaning and implication of the term ‘continue to be qualified and suitable for the post.’ With regard to the office establishments of local boards, so far as I know, qualifications are prescribed only for the posts of managers, the head clerks and accountants and no separate qualification or any such thing is prescribed for the clerks. On a reference made to Government some time ago when I was connected with a taluk board as its vice-president the reply received was that no qualification is prescribed for clerks in local fund service. So, Sir, I am in doubt as to what is meant by the words ‘continue to be qualified and suitable for the post.’ If the intention is that this should apply only to persons such as accountants and so on for whom definite qualifications have been already prescribed, there would be no need for me to press this part of my amendment. But, if on the other hand, new qualifications are to be prescribed for the clerks who will be thrown out of employment and will be awaiting re-entertainment, and if those qualifications are to be insisted on in their cases, it will create great hardship for them and I will have to press this amendment.”

Mr. BASHEER AHMED SAYEED:—“Sir, I rise to second the amendment moved by my hon. Friend, Mr. Nachiyappa Gounder. This amendment has been moved with a view to secure the claims of persons who have already served for long in the taluk boards but are likely to be thrown out and also to secure the claims of representatives of minority communities who have entered service quite recently after some agitation in the public. Personally, I feel that Mr. Pannirselvam has not quite appreciated the implications involved in the amendment that he has moved. I think the amendment adopted by the Select Committee serves the purpose adequately. Now, if this amendment of his is to be accepted, it will give rise to a lot of complications. Moreover, I consider that there is no need for the time being for taking the entire establishment of the taluk boards as well as district board into a single unit. If difficulties arise, in this respect, in the working of the amended Act, it will be time enough for the Government to come forward with suggestions for taking the entire establishment as one unit for the purpose of fixing salaries, grades, number, etc. But, as it is, what the Council and the representatives

[Mr. Basheer Ahmed Sayeed] [1st March 1934]

of the people are anxious about is this: that such persons as are going to be thrown out of employment by reason of the abolition of the taluk boards should not be subjected to any unnecessary hardship if it can be helped.

"Now, as has been pointed out by the previous speaker the great difficulty will be that several people who have secured permanent tenure in the taluk board establishment will have to be sent out if there is no provision made for their retention. This is very important. With regard to the question of qualifications which was hotly discussed, I submit, Sir, that even though people at the time they were entertained were not qualified for employment, once they were entertained and made permanent, there is no reason why they should be sent home if they can be absorbed in the district board establishment. Sir, our foremost concern must be not to turn away people who have now certain rights which they can ask to be recognized by the district board which takes the place of the taluk boards. Then there are the claims of those communities which have not had adequate representation hitherto but which have had just now some justice done to them. Their cases should not be overlooked, nor should anything be done to prejudice their interests. These two points alone matter most at the present juncture in connexion with the amendment now under discussion. I would therefore say that the result of the amendment proposed by Mr. Pannirselvam is still in doubt."

* The Hon. the PRESIDENT:—"Mr. Nachiyappa Gounder's amendment is as follows:—

'Omit the words commencing from "such persons" in line 7 to "by the Local Government" in line 9 and *substitute* in its place "then if necessary retrenchment may be made in accordance with the principles laid down in G.O. No. 486, Public (Services), dated 31st March 1932, and allowing concessions as laid down in G.O. No. 124, Finance (Pension), dated 24th March 1932. The persons thrown out of employ shall," and to omit the words in line 11 and onwards "so long as such persons . . . for the posts.'

If the amendment of Mr. Nachiyappa Gounder is incorporated in the amendment of Mr. Pannirselvam it will read thus:

'The officers and servants of the taluk and district boards in each district, shall, at the commencement of this Act, be deemed to belong to a single district establishment for the purpose of fixing, under the provisions of sub-section (3) of section 67 of this Act, the number, designations and grades of the officers and servants of the district board or boards reconstituted in each district and then, if necessary, retrenchment may be made in accordance with the principles laid down in G.O. No. 486, Public (Services), dated 31st March 1932, and allowing concessions as laid down in G.O. No. 124, Finance (Pension), dated 24th March 1932. The persons thrown out of employment shall have preference in future appointments under the district and panchayat boards.'

1st March 1934]

Rao Bahadur A. T. PANNIRSELVAM:—"I have certainly no objection, Mr. President, to agree to the principle underlying the amendment. I agree that, as far as possible, in sending out these persons who will have to go by reason of the reduction of staff, the principles of the Government Order governing retrenchment might be applied. But, I think, the words 'subject to such directions as may be issued by the Local Government' occurring in my amendment should be retained. I should also not be able to agree to the last two lines, viz., 'so long as such persons desirous of such preference are available and continue to be qualified and suitable for the posts' being deleted. I am not also able to agree to the control which the Government would retain under this, because, whatever proposals might emanate, it is best for the Government to accept one policy for the whole Province and give detailed instructions. I know it will be difficult to work out details for every district, but I think the situation requires one controlling and central authority who will issue specific instructions to govern every case in every district. And if Mr. Nachiyappa Gounder agrees to that, I would be only too glad to accept his amendment."

The Hon. the RAJA OF BOBBILI:—"Am I to speak on the amendment of Mr. Nachiyappa Gounder or on both the amendments, Sir?"

* The Hon. the PRESIDENT:—"On both the amendments if he likes pleases. Or if the Hon. the Minister wishes to speak after lunch, he may do so."

The Hon. the RAJA OF BOBBILI:—"Yes, I shall speak after lunch."

* The Hon. the PRESIDENT:—"The House will now adjourn and reassemble after lunch at 2-30 p.m."

After Lunch (2-30 p.m.)

II.—AMENDMENTS TO STANDING ORDER No. 80 OF THE MADRAS LEGISLATIVE COUNCIL.

* The Hon. the PRESIDENT:—"I have to announce that the following candidates have been duly nominated for election to the Select Committee to amend Standing Order No. 80:—

- (1) Dr. P. Subbarayan.
- (2) Mr. K. P. Raman Menon.
- (3) Mr. J. K. Metherell.
- (4) The Hon. the Raja of Bobbili.
- (5) The Hon. Khan Bahadur Sir Mahomed Usman Sahib Bahadur.
- (6) Rao Bahadur C. Natesa Mudaliyar.

"As the number of candidates nominated for election is equal to the number of vacancies to be filled, namely, six, I hereby declare the abovementioned members to be duly elected under Regulation II (4) of the regulations for the holding of elections by means of the single transferable vote.

[The President]

[1st March 1934]

“ I nominate Mr. M. A. Muthiah Chettiyar, Kumararaja of Chettinad, a Member of the Panel of Chairmen, to be a member of the Select Committee.”

III.—A BILL TO AMEND THE MADRAS LOCAL BOARDS ACT, 1920, AND THE MADRAS ELEMENTARY EDUCATION ACT, 1920 (BILL No. 2 OF 1934).

THE SCHEDULE.

Transitory Provisions.

Rule 8.

Diwan Bahadur A. APPADURAI PILLAI:—“ Mr. President, Sir, rule 8 of the Transitory Provision as amended by Mr. Pannirselvam and Mr. Nachiyappa Gounder makes the matter rather complicated. The amended rule runs thus: ‘ The officers and servants of the taluk and district boards in each district, shall, at the commencement of this Act, be deemed to belong to a single district establishment for the purpose of fixing, under the provisions of sub-section (3) of section 67 of this Act, the number, designations and grades of the officers and servants of the district board or boards reconstituted in each district ’ and

“ From this portion onwards we follow Mr. Nachiyappa Gounder’s amendment: ‘ and then, if necessary retrenchment may be made in accordance with the principles laid down in G.O. No. 486, Public (Services), dated 31st March 1932, and allowing concessions as laid down in G.O. No. 124, Finance (Pension), dated 24th March 1932. The persons thrown out of employment shall ’ (here we again come to Mr. Pannirselvam’s amendment) ‘ have preference in future appointments under the district and panchayat boards ’ (here Mr. Nachiyappa Gounder stops but Mr. Pannirselvam wants to add the following also) ‘ subject to such directions as may be issued by the Local Government.’

“ Having read this, I am really at a loss to know where we really stand. On the other hand, the provision made in the Bill is clear cut, and it provides for all the grades of local board service. Rule 8 as embodied in the amending Bill and as accepted by the Select Committee with a slight alteration makes the matter clear and provides for all the contingencies contemplated with reference to the abolition of taluk boards and the disbandment of their staff. I request I may not be misunderstood when I speak on this matter as though I am in any way prejudicial or opposed or unsympathetic to the interests of the taluk board staff. Far from it, my sympathies are entirely with them. It is a pity that after a long period of service some of the hard-worked staff should be disbanded. It is really doing them injury, and so it behoves this House to do all it can to devise ways and means to somehow or other alleviate their distress. The proposal put forward by Mr. Pannirselvam to drag in the district board people also to the taluk board people and make them suffer equally, because they also belong to the same service, namely, the local board service, is not an argument that would appeal to several of us here as sound and correct. For the fact remains that it is the taluk boards that have been affected

1st March 1934] [Mr. A. Appadurai Pillai]

by this measure. Whether rightly or wrongly, unfortunately it is the taluk boards that have come to grief on account of the financial stringency. So, because the taluk board people suffer, the district board people also should suffer is a rather novel argument put forward. It seems, I submit, safer to let one set of people suffer and find out the best means of rescuing them, rather than drag in the rest of these people and make the whole lot suffer.

"I am informed on very good authority that the distress of the taluk board people, so much talked of here, will not be acute after all. There are 480 people who would be affected by the abolition of the taluk boards. Out of these 480 subordinates that will be thrown out, it will be possible to absorb into the new district board service no less than 300. Because there are a variety of officers in the district board service, like the district board engineers, the district educational officers, who will be appointed very soon, the health officers and the panchayat officers, etc. These will require some hands, and so some of these disbanded people will be taken into service. Not only that, elementary education business would go bodily to the district boards in future. The clerks attached to elementary education—there are two clerks attached to this in the taluk boards—and they will bodily go over to the district boards. Similarly the two clerks attached to works and communication in the taluk boards would bodily go over to the district boards. That means, Sir, four out of the six clerks in the taluk board service will go over to the district boards. Then with regard to these two remaining clerks also we can provide work in the district board service in this way. The panchayat officers who will be appointed may require some hands to assist them, and these may be put under their control; or even in the district board service, there will spring up several standing committees for education, for health and medical help and for rural development. Surely these will require some staff, and so these remaining two clerks also may be absorbed. Thus the question of distress can be solved in this way, or at least it can be alleviated to a very great extent. In view of that, Sir, I do not think it is necessary for us to provide in the Bill any provision besides what has been put in in the amending Bill.

"One other point I wish to make in this connexion. I am very sorry, if what I hear is to be true, that even after the Government Order prohibiting the filling up of acting vacancies in district board service in view of the abolition of the taluk boards and the consequent absorbing of taluk board staff in the district board service, several posts in district board service have been filled up for the simple reason that the presidents of these boards wanted that their clerks should not suffer by the coming into force of this amending Bill. In some cases, I am afraid, even retrospective effect was given to these appointments and confirmations, simply because these posts may not be utilized in the interests of the taluk board employees. So to put an end to this injustice I think it will be better to lay down a specific rule and entrust the whole affair to a responsible officer, say, the Inspector of Local

[Mr. A. Appadurai Pillai]

[1st March 1934]

Boards and Municipal Councils. He should maintain a list of persons thrown out of the taluk boards and he should see that these are absorbed in the district board service first before any outsider is appointed.

“Then, Sir, there is another difficulty in straightaway absorbing discharged taluk board staff into district board service. It was pointed out by Mr. C. S. Ratnasabhapati Mudaliyar the other day that while the lowest grade clerk in some taluk boards is drawing a salary on the Rs. 40 to Rs. 60 grade, the lowest grade clerk in the district board is drawing only Rs. 35-1 $\frac{1}{2}$ -60.

2-45
p.m.

“But in some of the taluk boards the scales of pay adopted by the Government have been bodily taken into and I believe they are following those scales of pay. In some instances in the case of taluk boards—I have got a concrete instance—the presidents have given three or four increments over the pay that ought to be drawn by the subordinate. One can understand the reason for such a sudden increment. The subordinate concerned may be a very intelligent man and might have been carrying on his work with considerable ability and the taluk board president might have taken it into his head to give advance increments for three or four years. In such cases, it may be very difficult to bring all on a sudden the taluk board man into the district board staff. A certain amount of time must elapse. Some of those men that are brought into new scale of pay may not get the same pay as those who were getting old scales of pay, but only a lower amount, but I am sure such men would prefer to draw a lower pay to remaining without appointment. I believe some of the taluk boards are following the Fundamental Rules followed by the Government and one of the rules says that if a subordinate loses the pay that he was originally drawing on account of his taking up a post on a lower scale of pay, the difference of pay must be made good to him. The taluk board official, I hope, would only consent not to insist upon such difference in pay being secured to him although it may be possible, for the officers in charge to arrange for such things. I think there will not be much difficulty in absorbing the taluk board staff. It may also be necessary—it is for the consideration of the Government whether it is possible or feasible—to introduce bifurcation of the district boards, at the same time the taluk boards are abolished. If these two things are brought about at the same time, I think the difficulty of trying to find job for the taluk board staff will be overcome to a considerable extent. In the place of one district board, there will be two district boards to one of which the officials of the existing district board will go and the taluk board officials will be absorbed in the other district board. Whatever it may be, my final argument is that these are matters that ought to be regulated more by departmental executive orders rather than by provision of law. Reference to Government Orders and all that sort of thing which generally find a place in executive orders ought not to find a place in legal provision. There is a place for everything. I think

1st March 1934]

[Mr. A. Appadurai Pillai]

these restrictions and references to Government Orders can very well be relegated to rules framed by the Government having the force of law. It will be the object of the Government and the business of the local boards—I daresay they will avail themselves of the provision contained in the Bill—to secure prompt and rapid absorption of the taluk board officials that are thrown out of employment. In view of these things, I would only beg of my hon. Friend, Mr. Pannirselvam, not to press his amendment, but to leave it to the rules to bring about a real relief that he has asked for.”

* Rao Bahadur C. NATESA MUDALIYAR:—“ Sir, this is a very difficult problem. I think arguments can be adduced on either side. The taluk board clerks are not going out of their own accord. We are sending them away. They thought, when they entered service, that their positions were secure. We are discharging not only the employees that went into the taluk board from the district board but also those employees who went to the taluk board service from Government service. For instance one gentleman in North Arcot, a man who was a Magisterial clerk in a Deputy Collector's office went as a taluk board clerk and rose to the position of head clerk after some years of service and he is drawing Rs. 100. It is hard for such men to be told to go away from service. On the other hand the argument that if the taluk boards are abolished, the district boards ought to suffer is a thing which one cannot understand. If the Survey office is abolished, the Board of Revenue need not suffer. The staff of the district board were not told when they entered service that the taluk boards and the district boards were a single unit. So it is a very difficult problem. Another thing is that if both are taken as one unit and if seniors are provided with appointments, the junior will have to be thrown out. The minority communities say that the juniors who were entertained recently in the district board service are mostly from minority or backward communities and so minority communities would be thrown out and there may be no representation of minority communities in the district board service. The amendment proposed by the hon. Member, Mr. Nachiyappa Gounder is this: the Government might consider both the district board and taluk board as one unit and take all the staff from both the boards together and then select the most senior and retrench the juniors. To an amendment of this sort there is no place in this Council at all. Retrenchment, this Council hates mostly. We have had enough of retrenchment asking the people to go home without providing for future. I do not want that retrenchment should be introduced during the transitory period. On the other hand I would request the Government to keep these subordinates in the waiting list, then absorb them as and when vacancies occur. There will be no difficulty. Apart from that, if the Government are sympathetic they may send these people to other places where appointments are available. Why should you consider about dispensing with the services of the people once and

[Mr. C. Natesa Mudaliyar]

[1st March 1934]

for all. I am afraid my hon. Friend, Mr. Nachiyappa Gounder, has misunderstood the phrase 'continue to be qualified and suitable for the post.' What the Select Committee meant was this: they took it for granted that all those who were permanently employed in the taluk board are qualified, because a man reading in the fourth form might have been appointed as a permanent clerk in the taluk board. That means the president of the taluk board accepted him and exempted him from all qualifications. The implied understanding is that Government can take all those people, whether they have read up to fourth, third or second form. They were all exempted. Let them be on the waiting list and we shall absorb them as vacancies occur. So I request my hon. Friends, Messrs. Pannirselvam and Nachiyappa Gounder, to withdraw their amendments. We have got our own Chief Minister. He has got an able Secretary, Mr. Conran Smith, who is very well known to all of us. We can trust both of them and ask them to do as much as possible for these men. Services of all those people who have put in more than 25 years of service may be dispensed with. However, I request the Government to see that some gratuity is paid to these people or a pension given. Let them not be left adrift in the world without being able to maintain themselves. Government will be well advised in doing as I have suggested. So once again I request the Government to see that these superannuated people are given some gratuity or pension and with regard to other people they may take them according to seniority. The district boards can absorb them, the Government can absorb them. So I request my hon. Friend, Mr. Pannirselvam, to trust our Chief Minister and I am sure he will do everything well. I also request my hon. Friend, Mr. Nachiyappa Gounder, to withdraw his amendment. It was also suggested that these matters might be referred to the Standing Committees that are going to be formed. I think it is much better to vote upon these things here rather than referring them to Standing Committees. Anyhow, let me hear what the Hon. the Chief Minister has to say."

* The Hon. the RAJA OF BOBBILI:—"The amendment under discussion naturally affects a large number of people and it has now taken up the attention of this House for over two hours. The first point that I wish to answer is with reference to the statement made by many hon. Members of this House that all the employees in the taluk boards will be sent out. I have stated and repeated more than once that it will be only a small proportion which will, in the first instance, be retrenched and that they will be absorbed ultimately. I am afraid no useful purpose will be served by my repeating the same arguments to people who refuse to be convinced. Then it has been stated by some speakers that the most objectionable feature of the Bill is retrenchment. But the amendment now proposed does not give us any other alternative in this respect. The amendment only seeks to throw the burden on the district board employees also. It has to be conceded on all sides that there will be some retrenchment which

1st March 1934]

[The Raja of Bobbili]

is unavoidable and the question now is who should bear this hardship. I have stated in my opening speech when I introduced the Bill as well as in the discussions in the Select Committee that Government are not lacking in sympathy for these taluk board employees and that they will devise every means in their power to minimize the hardship as far as possible. The question now resolves itself into this: whether we should retire the juniors or the seniors. Much can be said in favour of both the propositions and it is a matter of opinion whether the hardship will be greater in the case of juniors or seniors. It may be said, in the case of seniors that, they have had their innings and they have earned a pension or provident fund; anyhow the time for their retirement is drawing near and if it is a matter of only one or two years, it will not be such a great hardship. In the case of juniors, it may be said that the future of young men who have just entered on their careers will be marred by their being sent out.

“ So, Sir, the question comes now to this: whether juniors are 3 p.m.
to be sent out or seniors are to be sent out according to this amendment. I have already stated that as regards the education staff and the medical staff there will be no retrenchment. As regards the other clerical staff it will be necessary for district boards to employ some additional establishment and ultimately I believe that the approximate number of people who will be thrown out of employment and that too temporarily will be on an average about one and a half for each taluk board. And there are 208 taluk boards. In the various discussions this morning, hon. Members have ignored the provision in the Act which lays down the conditions for recruitment both in the case of district boards and panchayats. I feel, Sir, that by applying these rules, we will be able to find places for a large number of these retrenched employees.

“ Another point this House and Government have to consider is that it is not possible off-hand to assess the financial implications of this amendment. I do not say I am opposed to the spirit of this amendment, but Government will have to consider what the implications will be before they could agree to have their hands tied by a legislative enactment of this nature. The various ways by which we propose to retrench the present employees in the district boards are to send out those who have reached the age of superannuation and those who have not yet been confirmed. In other words, those who are employed temporarily will be retrenched first. Then the question of retiring those who have completed 25 years' qualifying service will come in. Of course, they will have to be paid compensation and it has to be considered whether it would be cheaper and more desirable to send them out or to send some of the extra clerks in the taluk boards. We have to consider all these questions. We have to consider the interests of local bodies also.

“ My hon. Friend, Mr. Devadasan, has made a speech supporting the amendment. I believe it is only during the last five or six years that members of the Depressed Classes and backward communities have been

[The Raja of Bobbili]

[1st March 1934]

sufficiently qualifying themselves to enter these local boards. I do not know whether my hon. Friend realized the implications of this amendment when he supported it. My hon. Friend, Mr. Pannirselvam, who has moved this amendment, cannot be said to be opposed to the claims or interests of backward and Depressed Classes. Nor can I think that being a clever lawyer as he is, he has moved this amendment without knowing its implications. Probably he is guided by the conditions existing in his own district. But from what I hear from people coming from the other districts, I believe I will not be wrong in saying that if we confine this retrenchment solely to the juniormost and retrench them according to the order of juniority, we will be really sending out members of the minority and backward communities who have been employed during the last few years. If, without further consideration and examination, Government are to accept this amendment, it might result in heavily increasing the budgets of district boards as most of these clerks who have put in 10 or 15 years service and who now occupy the higher posts in taluk boards will be on a much higher pay than other employees of local boards with equal service. By making a hard and fast rule like this, we might make the establishments top-heavy.

“Another doubt has been raised by several hon. Members as to the meaning of the phrase, ‘continue to be qualified and suitable for the post.’ For the benefit of those who have not attended the Select Committee where I explained the position of Government, I may repeat the argument that by qualifications Government do not propose to fix any educational qualifications for the first time now and give them retrospective effect in the case of taluk board employees. So there can be no objection. As a matter of fact, the amendment as it now stands makes the rule more elastic. I have heard the speech of Mr. Pannirselvam with great attention and I find that he has placed great stress on the fact that a good many of these taluk board employees were transferred from district board service and that it will be unfair to retrench them now, because their services in the taluk board would be very short. I do not know whether my hon. Friend will be satisfied if all those who have been sent from the district boards are protected. Of course, I have no authority, before a thorough examination of the position, to commit Government. But I may just indicate the directions in which we propose to issue the rules. As regards these establishments, we propose to prepare lists in the order of seniority in which the previous service of employees in district boards will be counted. (An hon. Member: If they have been in Government service?) That also will be taken into consideration. And in filling up vacancies, it will not be left entirely to the discretion of the district board. They will have to appoint these men in the order of seniority, unless any employee is found unfit or unsuitable to discharge the responsibilities attached to his post. Taking all these into consideration, it will be difficult for me to say whether in a year’s time or a couple of years’ time, all these people who are now retrenched will be absorbed.

1st March 1934]

[The Raja of Bobbili]

“ There seems to be another misapprehension that the moment this Act is passed all the taluk board employees will be thrown out. Although formal notice has been given that their services will be terminated from the 1st of March, Government propose that they should be retained in service for three months or given three months' pay in place of notice. That means that there will be three months' time before which Government can carefully go into the various problems involved and come to definite conclusions in framing their rules and pass orders. The point I wish to make is there is no immediate hardship caused in this respect and we hope to give the utmost possible protection to these employees consistent with the interests of local boards. The rule as now framed is very wide and gives ample powers to Government to frame rules and carry out the wishes expressed by various Members of the House to the fullest extent. Although I have explained that it will not be possible for me to accept the amendment, I may assure my hon. Friends that to the fullest extent possible Government will try to carry out the spirit, if not the letter of this amendment bearing in mind the opinions expressed by hon. Members. I therefore appeal to the Mover not to press this amendment to vote.”

Mr. A. RANGANATHA MUDALIYAR:—“ Sir, I have only one or two remarks to make on what the Hon. the Chief Minister has said with regard to this matter. Sir, we have to remember that it is the presidents of district boards who have to take work from their employees and not the Government sitting at the Provincial headquarters. If the president, district board, is responsible for the work of his subordinates, I think we must be ready to concede to him a certain latitude in regard to the choice of the people who have to work under him. If you press this amendment and insist on district board presidents appointing those taluk board employees who have been thrown out of employment, I am by no means sure that we will be doing these people whose interests we have at heart any good turn. People who have any experience of administrative matters know that the head of a department, has always certain means at his disposal to make things too hot for his subordinates and send them out. That is not at all a rare phenomenon. If we are going to force on these district board presidents men whom they do not want simply because according to rules of seniority or other rules they are entitled to places on district boards, what guarantee is there that these district board presidents after giving these men a chance or two, will not frame charges of incompetency, dilatoriness or something else and not merely dispense with their services in which case, they can get employed elsewhere but take the more drastic step of dismissing them which would render them ineligible for employment in any other place for ever. We have to remember this fact also, that the district board presidents should have the power of picking and choosing their own men in order that the work of the board may be carried on in the most efficient manner possible.

[Mr. A. Ranganatha Mudaliyar] [1st March 1934]

3-15
p.m.

"They have been trained for their respective pieces of work and one expects that they are even now qualified to continue to do their work. What you are going to do is to dislocate the work. You will be putting in people who will certainly take some time before they can adopt themselves to the requirements of the office. After all we cannot judge people merely by their experience and seniority. It is necessary that people who are going to employ them must have a certain amount of discretion; for some appointment they may require a young man; for other appointments they may require persons of ripe experience. I think that we should not fetter the discretion of heads of departments who, in my opinion, should be allowed some discretion. So, I would earnestly request the House to leave these matters to be decided by rules to be framed by the Government and not to put these things in the statute. It will be difficult to give effect to these amendments and they may defeat the very purpose we have in mind, namely, protection to the employees of taluk boards."

Rao Bahadur P. C. MUTHU CHETTIYAR spoke in Tamil.

Mr. MUTHU CHETTIYAR said that he would suggest an amendment to the amendment before the House.

* The Hon. the PRESIDENT:—"Is the hon. Member suggesting a new amendment or an amendment to the one under discussion?"

Rao Bahadur P. C. MUTHU CHETTIYAR:—"Yes; an amendment to this amendment."

Mr. A. RANGANATHA MUDALIYAR:—"The hon. Member need not move any amendment now. He may give advice to the Government as to what they should do in this matter, that they should absorb these employees in all departments of the Government both Reserved and Transferred, without regard to the Services Commission Rules, etc."

* The Hon. the PRESIDENT:—"The amendment given notice of by Mr. Muthu Chettiyar now runs as follows:—

'The employees of taluk boards thrown out of employment by the abolition of taluk boards be given places in Government service.'

The amendment is totally out of order."

* The KUMARARAJA OF VENKATAGIRI:—"Sir, the object with which I rise now is to make a few observations, before I appeal to the hon. Mover of the amendment to withdraw it. It is not because I have no sympathy for those who will be thrown out of employment owing to the abolition of taluk boards, but it is because I have full faith in the assurance given by Hon. the Chief Minister. He will take sufficient care and give adequate attention to this problem and solve it in such a manner as to be satisfactory and as to achieve the objects the Mover of the amendment as well as various other speakers have mentioned. The Hon. the Chief Minister has assured the House that every care will be taken and that he would see that justice will be done. In the light of that assurance, I as one who received a mandate from my constituency

1st March 1934] [The Kumararaja of Venkatagiri]

to the effect that I should support the principle underlying this amendment, feel satisfied now that I need not vote for this amendment for the very simple reason that as a member of the party which is in power I should accept the definite assurance given by the head of the party that sufficient attention will be paid to this question. Now I feel, Sir, that I have no obligation on my part to vote for the amendment.

“ I feel, Sir, that there is no obligation on my part. On the other ³⁻³⁰
hand, I think it is an obligation on the part of every member of the ^{P.m.}
party to support the attitude taken up by the Hon. the Chief Minister. I have to make these observations for the reason that many of the members of the party who have received mandates, or at any rate, who are in great sympathy with the spirit underlying the amendment do not vote for the amendment, if for any reason it is to be put to vote. It is not because we are lacking in sympathy, but it is because we have implicit confidence in the Government and because we look to the Government to see that all the views expressed and the suggestions made on the floor of this House for the removal of grievances are given effect to in the same spirit in which the Hon. the Chief Minister has made his speech. I consider it unnecessary on my part to go into details after the very able advocacy of the cause for which I also stand, by my hon. Friend, Rao Bahadur Pannirselvam, who, whenever he speaks, speaks with authority and deals with the subject in such a manner as to compel attention to and agreement with his views. Sir, in view of the various difficulties pointed out by certain friends belonging to the minorities, I consider that this is really a complicated problem which cannot be solved on the floor of this House, and that it is better to leave it to the Government to solve it, particularly in view of the assurance given by the Hon. the Chief Minister. My hon. Friend, Mr. Appadurai Pillai, has dealt with the various aspects to the effect that the problem is not of such a nature as to make it impossible of solution. I therefore appeal to my hon. Friend to withdraw his amendment, after making any further suggestions to the Hon. the Chief Minister on the floor of this House.”

* Rao Bahadur A. T. PANNIRSELVAM:—“ Let me immediately state, Sir, that in moving this amendment I was not in the least degree actuated by any distrust of the Government or of the Hon. the Chief Minister. I need hardly say that, if there had been even the slightest distrust on my part towards the Hon. the Chief Minister, I should not be found speaking from this side of the House. In fact, Sir, the amendment which I have moved would show the trust I have in him of dealing fairly and squarely with the people whose fates he has to decide. Nor, was there any the least desire on my part to tie up the hands of the Government. In fact, I felt, Sir, that the provision in rule 8, as it stood, tied up the hands of Government and my amendment was going to unloosen the tie. The provision, as it stands, provides that taluk board servants shall go out and very many of them shall be absorbed once again. My desire was only to make the whole group into one,

[Mr. A. T. Pannirselvam]

[1st March 1934]

so that it might be open to the Government to see which among this larger group shall be immediately retained and which shall be sent out or rather be put on the waiting list to be absorbed in course of time as and when occasion arises. If I have laid so much emphasis on the necessity and the reasonableness of my demand, it is solely because of this that, whatever you might say, there is no running away from the fact that, as a matter of fact, the whole local board service is one. Till recently, the district board presidents could transfer taluk board servants from one board to another, from a taluk board to a district board and from a district board to a taluk board. Appointments over Rs. 50 had till recently to be sanctioned by the district board president and to-day the provident fund contributions for all local board servants have to be made by the district board president. Those were the reasons which led me to think that they were all members of one service and therefore there should be no distinction at this stage. Another reason also why I said that no distinction ought to be made was this, that to-day by this Act we are abolishing not merely taluk boards. What, in fact, we are going to do, except perhaps in the case of a few district boards which may not be immediately bifurcated—but, if as I expect, bifurcation is to work successfully they will also be bifurcated in course of time—what we are doing is not merely the abolition of the taluk boards, it means also the abolition of district boards as well. So, it is a matter of doing away with both the local boards and setting up in their stead what we might call a circle board; and it is merely an accident that we are retaining the name ‘district board,’ while in fact, they will not be district boards as they now are.

“So, Sir, it was not that we were not convinced by the arguments of the Hon. the Chief Minister or the statement of the Hon. the Chief Minister when he said that most of these servants who will under the Act be thrown out of office will, whether immediately or in the near future, be absorbed. We realize that fact and it is because of the desire to inconvenience as few as possible and to take in as many as possible, that we have made a specific provision to the effect that in all the future vacancies that should be filled up, none shall be appointed except those thrown out if any of them are qualified to fill the places and are available. I was only dealing with reference to that very few—it might be only a few—that are thrown out, but still the cases of these few persons also deserve consideration, if on the merits we thought their case was deserving more of sympathy than the case of the young men from the district board service who might be thrown out.

“Sir, another argument was advanced that the interests of the backward classes and the depressed classes might suffer by the acceptance of the amendment which I have moved. Far be it from me, Sir, to say or do anything which would affect adversely the interests of the depressed classes or for that matter of any minorities, and being myself a representative of a minority community, it would certainly not do for me to say anything which would adversely affect the interests of the

1st March 1934]

[Mr. A. T. Pannirselvam]

minorities. It seems to me, there is no need for giving myself a certificate about my adherence to the principle of communal representation. That has always been the policy for which I have stood and wherever I have had an opportunity of exercising any little patronage, I have been always actuated by the principle of communal representation, not merely of the minorities but of the huge non-Brahman community that they should also have their share. But, if in spite of the fact that in certain districts—it might be just possible that members of the minority communities might, for the time being, be thrown out—I urged this amendment, it was only due to the desire that in claiming a right for a minority or for an unrepresented community, we should not consciously expose ourselves to the charge of doing an injustice to another community, even though it be the Brahman community. That has always been my motto, that in trying to do justice for ourselves we should not do an injustice to others.

“ If I say all this, it is not because I am not responsive to the very sympathetic and kindly speech which the Hon. the Chief Minister has now made and after that speech I do certainly think with all respect to my hon. Friend, the Kumararaja of Venkatagiri, that an appeal from him was absolutely unnecessary. If the speech of the Hon. the Chief Minister, with the promise he made of considering every point of view and with the power of implementing that promise, if that speech was not going to move me, the appeal made by the Kumararaja of Venkatagiri would certainly not move me. But, before I say anything further on the point, there are just one or two suggestions which I should like to make. You are going to throw out all taluk board servants—not all of them, but a few of them and those that would be as a matter of fact retained, I believe, would be the people on the lower scale of pay, people who are dealing with the branch of education and my hon. Friend, Mr. Appadurai Pillai, who seems to be in the secret, said that clerks dealing with communications also will be absorbed immediately; but they are all ordinary clerks in the lower grades of pay. So, the seniormost clerks in the taluk boards and those in the higher scale of pay though they are likely to be immediately affected, it is presumed they will also be taken back at as early a date as possible. May I therefore suggest to the Government that it should not be thought to be a favour done to them that they are taken back, but some plan should be devised by which they will be fitted in into the district board service in as high a pay or into a pay which would correspond as much as possible to the scale of pay that is now being drawn by them. In saying this I do not forget or overlook the statement made by the hon. Member from Coimbatore that some taluk boards have been arbitrarily and unreasonably fixing a very high scale of pay. The rules to-day do not prevent the Government from altering that scale; the whole thing is in their hands and in fixing the scale of pay for such of the senior clerks as might be taken back, I only hope that the Government would so fix the scale as would without any injury to public finance fit in with their present scale of pay as well.

[Mr. A. T. Pannirselvam]

[1st March 1934]

“There is just another suggestion which I wish to make and that is this. To those of the servants of the taluk boards who would immediately be thrown out of office, would it not be possible for the Government to give them an alternative about withdrawing their provident fund immediately, or continue to wait till they are absorbed again, the intervening period perhaps being treated as leave on loss of pay, so that there might be absolutely no interruption in their service. And, if they are clerks entitled to pension and not to provident fund, some such arrangement can be made by which they are not actually thrown out at once, because when once they are told off, Government might frame rules—and Government will certainly interest themselves in the matter for a few months at least—but if there is to be any delay, the matter will ultimately devolve on the district board presidents and there is the possibility of some of these people being overlooked. If, on the other hand, some of them desire to have their name in the list, without any financial commitment on the part of the Government, the Government may allow their provident fund contributions to continue with the local boards or delay their right to claim proportionate pension, or some such thing, as they think fit, so that they would at least have the feeling that they are still in service. They are not given any pay because they are not doing any work and they are not doing any work because they have no work to be done. The moment the work is available, they would have the place. That would give them at least a sort of encouragement to get on with during the intervening period.

3-45
p.m.

“Just one word, Sir, about what the hon. Member from Bellary said. Naturally in saying anything about a speech made by a gentleman of that ripe experience, one has to be rather careful. But I would only warn the Hon. the Chief Minister not to listen to his advice about leaving things in this confused state to the person who has to extract work from them. Because, after all, who are the persons that are going to extract work from them, and what is the state of things you are going to have? These district boards, most of them, are going to be bifurcated. Who shall be sent out to the other district board and who shall be retained in the existing district board? Who is going to decide this question? And are we not going to have in each district many difficulties on this question? In one board, servants whom that particular president wants may be retained, and all the undesirable members of the establishment, and all those that are not wanted by him may be sent out to the new board, the board that is really to be put into action, which is to be set on the wheels so to say, whose president is still unknown, who will have yet to be elected? On him will be thrown all the refuse of the district boards. (Mr. A. Ranganatha Mudaliyar: ‘Is bifurcation to be the rule then?’) That is the assumption on which we have been going these three days and if the hon. Member from Bellary thinks otherwise, I can only say that I have not been able to follow it in the same spirit in which he has followed it. Sir, I certainly must express my sense of indebtedness to the Hon. the Chief Minister for the deference he has shown to my view and the promise

1st March 1934] [Mr. A. T. Pannirselvam]

he has made for himself personally that he would see to it that the district board servants who have been sent out to the taluk boards, or rather the persons who were once in the district board service and have been subsequently sent out to the taluk board service, would be specially considered. I may say, Sir, that when I said that, it was not with a view to get special protection to particular individuals. I only mentioned it in passing, my object being to demonstrate that all the units constituted one service. It is no question of any personal satisfaction to me, and I can assure him that in this matter my action is wholly impersonal. Having said that, Sir, as I said to begin with, it would certainly not be fair on my part to insist on going on with this amendment. I am doubtful, Sir, and I would bow to your ruling in the matter as to whether I would be absolutely within my right to withdraw the motion, when there is another gentleman who has given a motion for adjournment of it and who probably would have moved the original amendment itself in some other shape if I have not moved it. Subject to that, Sir, I do not feel the least hesitation in requesting you and the House to give me permission to withdraw the motion."

The amendment was, by leave, withdrawn.

* The Hon. the PRESIDENT:—"I believe all the other amendments on rule 8 have been covered by this amendment, and I will therefore put rule 8 to the vote of the House."

Rule 8 was put and carried.

Rules 9 to 13 were then put and carried.

Clause 53.

* The Hon. the PRESIDENT:—"In connexion with clause 32, yesterday, Mr. Ramalingam Chettiyar moved an amendment and the Government promised to bring in another amendment to convey the idea contained in that particular amendment. Accordingly Mr. Conran Smith has given notice of an amendment under clause 53. We have now to reopen clause 53 and incorporate that amendment in that clause, and later on put clause 32 to the vote of the House."

* Mr. E. CONRAN SMITH:—"Mr. President, Sir, I move the following amendment in clause 53:—

'In line 3, of sub-clause (ii), for the words "a village" substitute the words "the village".'

'For sub-clause (iv), substitute the following sub-clause:—

"(iv) in sub-rule (2) of rule 1-A—

(a) in clause (a), the words 'or taluk' shall be omitted;

(b) in clause (m), the word 'and' at the end shall be omitted;

(c) after clause (m), the following clause shall be inserted, namely:—

'(mm) contributions to joint committees constituted under section 30 for any purpose

[Mr. E. Conran Smith]

[1st March 1934]

in which the panchayat is jointly interested or for any matter for which it is jointly responsible with any other panchayat or panchayats; and' and

(d) *in clause (n), for the expression 'rules 1-B and 1-C,' the expression 'rule 1-B' shall be substituted.'*

I need not, I think, explain to the House that the major portion of this amendment is devoted to the redrafting of the clause consequential on the amendment which I have moved. The important portion of the amendment is clause (mm). This amendment is designed to achieve as far as possible the object of the amendment which was moved yesterday on the floor of the House by my hon. Friend, Mr. Ramalingam Chettiyar. I am sorry Mr. Chettiyar is not himself in the House to-day, but I trust that the amendment which I am now moving will be found acceptable. I am not sure whether I fully understood the intentions or the implications of the amendment which Mr. Ramalingam Chettiyar moved. If he intended to provide for a federation of panchayats as a body corporate with general administrative powers and functions, then the amendment is unacceptable, because it is inconsistent with the spirit and the intention both of the amending Bill and of the Act. I do not think however that was the intention of my hon. Friend; I think from what he stated in his speech on the floor of this House, that he merely desired by his amendment to make it clear that two or more panchayats could join together for purposes or objects in which they have a common interest and could provide funds for those purposes or objects. Such a common purpose might be the execution of some important work, or it may be the appointment of a sanitary staff or an overseer. The difficulty which I think has been felt in this connexion under the present Act has been concerned with the provision of funds and the important portion of my hon. Friend's amendment was, I take it, to make possible such provision of funds for carrying out common purposes. This object is achieved by the amendment which I have just proposed since it makes it permissible for a panchayat to make contributions for these common purposes. Furthermore, if hon. Members refer to Schedule V, I-A, sub-rule (2), they will find that the sub-rule gives Government power to make rules, and that power can be utilized for the purpose of regulating these contributions and the works for which they are intended. Finally, I would draw the attention of hon. Members to new section 69-B in the Select Committee's Bill which definitely empowers two or more panchayats to appoint the same person to exercise or discharge any powers or duties of a similar nature for both or all of them. I trust therefore that this amendment which I now move would meet the object which my hon. Friend, Mr. Ramalingam Chettiyar, had in mind, and that the House will regard it as acceptable."

Mr. T. C. SRINIVASA AYYANGAR:—"Mr. President, Sir, in seconding this motion, I have only to add that there are difficulties in the way of accepting the amendment of Mr. Ramalingam Chettiyar. The Act

1st March 1934] [Mr. T. C. Srinivasa Ayyangar]

provides three sets of corporate bodies, panchayats, taluk boards and district boards. If the amendment is accepted, there will be a new corporate body composed of two distinct corporate entities. What are its powers, liabilities, obligations and finances? All these will be complications. The difficulty was pointed out yesterday. But, however, although it may be conceded that the present amendment moved by the hon. Mr. Conran Smith does not exactly achieve what all may be desired if the federation is accomplished, still the amendment goes a long way. The original Act enabled joint committees not only wherever two such bodies desired, but also where the Government points out the necessity, it shall appoint a joint committee for the purpose in which both are jointly interested. The new clause introduced by the present Bill, 69-B, enables servants common to more than one body to be appointed. Now the present amendment moved by the hon. Mr. Conran Smith, that is, clause (mm), enables diversion of funds of both the panchayats although the joint committee will be unable to function and the fund will be spent properly. This will go a considerable way in achieving the object, and I second the amendment."

The amendment was put and carried.

Clause 53, as amended, was put and carried.

Clause 32 was then put and carried.

The preamble was put and carried.

The Hon. the RAJA OF BOBBILI moved—

"that the clauses of the Bill be renumbered serially."

Mr. E. CONRAN SMITH:—"I second it."

The amendment was carried.

* The Hon. the RAJA OF BOBBILI:—"Sir, I beg to move—
'that the Bill, as amended, be passed into law'."

The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—"I second it."

Mr. K. P. RAMAN MENON:—"There is a rule, Sir, that there should be three days intervening before this motion can be made."

* The Hon. the PRESIDENT:—"The rule is like this:

'48. (2) If any amendment be made, any Member may object to the passing of the Bill at the same sitting; and such objection shall prevail, unless the President, in the exercise of his power to suspend this order, allows the Bill to pass.'"

Mr. K. P. RAMAN MENON:—"Amendments have been moved and some have been accepted and some carried. And so I submit, Sir, that three days should elapse. Mr. Muniswami Nayudu who made a particular study of this matter has been ill and could not attend this sitting. Not that he may be able in any way to effect any change in the Bill. But I take it the House would like to have his views on the various important clauses that have been passed. That can be done only if he is allowed to be present."

[1st March 1934]

4 p.m. * The Hon. the RAJA OF BOBBILI:—"My hon. Friend is mistaken, Sir. In the third reading, we can bring in only drafting or verbal amendments. As far as the House is concerned, they have not carried out any material or far-reaching changes. No doubt, one or two substantial amendments have been carried out but they are only to restore the original clauses as introduced by me. I therefore consider, Sir, that no case has been made for observing the usual rule and this is a fit matter for you to use your discretion."

* The Hon. the PRESIDENT:—"As a matter of fact, the hon. Member has not objected and the necessity for the exercise of my discretion does not arise."

Mr. K. P. RAMAN MENON:—"I am sorry, Sir, if I did not make myself clear. I object to the third reading going on when some substantial amendments have been made. We, as a minority party, have to see the effect of the amendment and must have our own say on the amendments."

* The Hon. the PRESIDENT:—"With regard to the amendments, substantial amendments have been made, in some cases by common agreement in the House. As such, I do not think there is any necessity to go into them during the third reading. I therefore feel that I should overrule the objection and allow the motion to be discussed."

Mr. M. A. MUTHIAH CHETTIYAR:—"Sir, I only wish to congratulate the Hon. the Chief Minister for the great patience with which he has piloted this Bill in this House. I should congratulate on his patience not only in this Council, but also in the Select Committee, of the Council. In the Committee stage, it required more tact to get through the provisions of this Bill and I can easily say that but for the very accommodating nature and tact of the Raja Sahib, the report could not have been as unanimous as it has been. It is due to his good work that the easy passage of the Bill in the Council is responsible. This measure is a great experiment and it has been opposed not only by some Members of the Council, but by the public, by the employees and by the many presidents and vice-presidents of the taluk boards. It is natural that they should have opposed this for fear of losing their seats in the respective bodies. But I am sure the Justice party and the Minister came forward with this Bill with the best intention of saving these local boards. As the experiment has not been a great success, we consider this a very useful experiment that has now been made and being coupled with the establishment of more district boards in the Presidency, it is also being welcomed by many persons in the Presidency. I am sure this Bill will be made into law and be approved. I should associate the name of Mr. Conran Smith with this Bill. Mr. Smith has taken great pains and during the time Mr. Smith has been the Secretary, many experimental measures regarding Local Self-Government institutions have taken place. They have been criticized and he has withstood those criticisms. The measures so far passed have been very beneficial. I have very great pleasure in moving that the Bill be passed into law."

1st March 1934]

* Rao Bahadur C. NATESA MUDALIYAR:—"I really congratulate the Hon. the Chief Minister for having piloted the Bill so beautifully. Somehow or other, Sir, he has the credit for bringing in a Bill which on introduction is opposed all over the Presidency. In the Council almost everybody seemed to oppose it. But when it came to the Select Committee, he makes it so palatable that when it comes out to the Council again everybody appreciates it and congratulates the Hon. the Chief Minister. Even in the other Bill, the Estates Land Act Amendment Bill, he sacrificed his own community for the sake of the ryots. He forgot he was an aristocrat; the aristocrats became nothing and the ryots had everything in that Bill which was passed into law the other day. Although he had the necessity of abolishing the taluk boards, yet he saw that nobody was affected by that abolition. So, I would describe him as one with an aristocratic superstructure with a deep democratic foundation. (Laughter.) During his Ministry, I am sure the country will achieve many things that are useful to the people. So, I congratulate the Raja Sahib. In addition my congratulations are also to his able lieutenant Mr. Conran Smith."

Khan Bahadur MAHMUD SCHAMNAD SAHIB Bahadur:—"Sir, really the Hon. the Chief Minister deserves the congratulations for the able way in which he has conducted and piloted the Bill in this House. Of course, it requires rare courage and his courage of conviction is really admirable. As has been said by Mr. Natesa Mudaliyar, he could make an apparently unacceptable thing really acceptable. Therefore, Sir, I congratulate him and also the Secretary who was of great use. Mr. Smith has done so much for putting the Bill in form."

Mr. SAMI VENKATACHALAM CHETTI:—"Mr. President, Sir, it is not want of appreciation of the able manner in which the Hon. the Raja of Bobbili has piloted this Bill that makes me warn against the possible consequences of this measure. I do not know, Sir, if this House has realized the consequences that will result by the abolition of the taluk boards, by displacing as many as 2,000 to 3,000 honorary public men who would help us in the matter of training people for political education and administration and also for displacing as many as 2,000 employees employed in the taluk boards and only making provision for a few of them under very uncertain conditions and also for the abolition of the village development fund. As I have said in the preliminary stages of this Bill, the Hon. the Raja of Bobbili is taking a very, very serious step in the matter of local self-government institutions. It would almost appear as if we are to-day tolling the deathknell of the local self-government institutions in this Presidency. (Hear, hear.) There is no good of deriving satisfaction from the fact that other presidencies also are in the process of abolishing the taluk boards. Probably having regard to the excellent record of public work of the Madras public, the other presidencies are under the impression that the Madras public would not take step without considerable deliberation and that therefore they would be doing the right thing, if they are guided by the Madras public. They are perhaps not aware of the changes that

[Mr. Sami Venkatachalam Chetti] [1st March 1934]

have come over the Madras public and the actual absence of public opinion on many matters of recent days. That accounts for other Presidencies also following the Madras public in the matter of the abolition of taluk boards. I need not personally feel sorry for the abolition of the taluk boards, if only the alternatives that are provided in this Bill are going to give us more powers and more benefits which the public have got a right to expect from the Government. The original idea for the necessity of the abolition of taluk boards was due to the inadequacy of funds. I do not think, Sir, in the juggling that was performed either by the Select Committee or subsequently by the Council, they have increased the resources of these local bodies, whether they are going to be taluk boards or whether they are going to be divisional boards. As a matter of fact, the Hon. Minister and those who spoke in favour of this Bill have been significantly omitting to make any reference to the increase of revenues consequent upon the present changes. The financial position being as it was, I do not know how any good can be derived by these alterations. Well, Sir, if the taluk boards are considered to be a fifth wheel in the coach and their abolition is going to ease matters, and bring these local self-governing institutions in more contact and touch with the people, I should certainly be very glad. And if the abolition of the taluk boards is going to be an encouragement for the creation of village panchayats and of their duties to the public, I should certainly be glad. But, having regard to the material that we have got in the village panchayats, I am really pessimistic of the results which are expected by the mere constitution of the village panchayats without the intermediary supervision and assistance of the taluk boards. Apart from this, the constitution of the redistribution of the taluk boards is a matter of speculation, though the Raja of Bobbili has said that he will be guided by certain definite considerations, namely, adequacy of finance, compactness of the area, geographical considerations and other administrative conveniences. Well, these are big comprehensive terms and it is possible to give room to a good deal of criticism. Added to that, I am very sorry that the old evil of nomination is allowed to remain even for a transitory period of two years, in the boards that are going to be reconstituted. However much I do not like to refer to the relationship of the new boards to the impending elections, it is impossible to think, Sir, that these new boards will not be used for the purpose of election campaign. Well, Sir, the bane of the local self-governing institutions has been that they have been hitherto used as the bases of election operations. If only the Party Government and the parties had allowed these self-governing institutions to remain without being touched by party politics, they would have certainly acquitted themselves more creditably and more honourably than they are able to do. It is because of the interference of the inward corruption of these local self-governing institutions, it is because of the interference from the headquarters either from one party or the other that these institutions have been reduced to the plight in which they are to-day. If only to-day, a Commission is set about to investigate into the conditions of these local self-governing institutions,

1st March 1934] [Mr. Sami Venkatachalam Chetti]

apart from the inadequacy of finance, it would not be a surprising thing if the findings of that Commission would be that their work was being interfered with by the Government at headquarters. May be the intention was very good when the Government interfered. But, it is impossible to resist the conclusion that in all matters they have been considered solely by considerations of efficiency and honesty of the local self-governing institutions. Instances have not been wanting that a certain discipline which might have been enforced by the Government in respect of one municipality is suspended in the case of other municipalities or other self-governing institutions for considerations other than that which would possibly be put on paper.

“ I therefore fear, Sir, that these new boards might be used for the purpose of election. And it is rather a very disconcerting news that reached us that, even before the taluk boards are abolished, even before this Bill is made into an Act, the Government have announced that a certain gentleman belonging to this House has been appointed as an inspecting officer with regard to the reconstitution of these boards and other things. It is a rather surprising act of the Government. I have never known that, pending the passing of an Act, an appointment is made to investigate into the conditions which will result by the passing of the Act, certainly anticipating the assent of His Excellency the Governor, apart from anticipating the decision of this House, which, perhaps they may take for granted. But I do not know how they are going to fetter the opinion or the sanction of His Excellency the Governor and His Excellency the Viceroy by appointing an officer to do acts which are contemplated in a Bill which has not yet received the assent of His Excellency the Governor or the Viceroy. Granting that an officer of that type is necessary, where is the necessity, Sir, to appoint a person from among the members of this Council? Is the Government Secretariat so devoid . . . ? ”

The Hon. the RAJA OF BOBBILI:—“ May I rise to a point of order, Sir? Is the hon. Member talking on the merits of this Bill or is he putting forth the arguments which he ought to reserve for the Budget discussion? ”

MR. SAMI VENKATACHALAM CHETTI:—“ I do not know the relevancy of the Budget to the third reading of this Bill. That apart, I thought the appointment was made in advance on account of the anxiety for reconstituting the boards as a result of this Bill. If the Hon. Minister is in a position to contradict or deny that statement, I shall not make any reference to that appointment.

“ Sir, in view of the steps that have been already taken by the Hon. Minister for carrying out the objects of the Bill now being passed, there is naturally consternation in the minds of the people that, after all, the provisions and the powers that are given to the Government under this Bill, may not be used only for the benefit and efficiency of these local self-governing institutions. Sir, it is no doubt, as I said, a very serious piece of legislation which the Hon. Minister has undertaken. If, as he

[Mr. Sami Venkatachalam Chetti] [1st March 1934]

hopes, this will result in the greater efficiency of local self-governing institutions, my sympathies and good wishes are entirely with him. But, speaking for myself, as most of the Members of my Party think, I do not think that will be the result. I am only sorry that such an important piece of legislation should have been hurried through in the manner in which it has been done. It has become a common feature, with this Legislature particularly, to hurry on very important legislation and bring in amending Bills soon after. I know whatever may be the delusion under which his party members are labouring, there is still considerable dissatisfaction with regard to this measure which the Hon. Minister has sponsored. I congratulate those chivalrous Gentlemen who, despite their convictions and their own opinions, do not want to desert or give the go-by to that party but are standing by the Hon. Minister. Well, Sir, that chivalry and that courage is worthy of a better cause than the abolition of taluk boards. (Ironical laughter from the Ministerial Benches.) Well, Sir, we can afford to laugh, because after all, we are not going to be affected. But future historians will record whether this legislation brought in the millennium the Minister and some of his supporters have in view."

* Rao Bahadur A. T. PANNIRSELVAM:—"Mr. President, to begin with, let me enter a caveat on behalf of the 2,000 members of the taluk boards against the unworthy motive of selfishness attributed to them by the hon. Member, the Kumara Raja of Chettinad, for their opposition to the Bill. The bane of public life in our country, and in our Province in particular has been that on no little matter whatsoever can anyone differ from another without having some sort of vile motive attributed to him. And here is a case of selfish motive being attributed to their opposition to the passing of this Bill. I can only say, Sir, that, speaking on the floor of this House, the Chief Whip of this Party should ever have adopted such a light attitude in respect of an important matter like this and in reference to 2,000 respectable people of the Province people who have been elected by the masses to represent them in the various local bodies. It is no secret, Sir, that . . ."

Mr. M. A. MUTHIAH CHETTIYAR:—"A word of personal explanation, Sir. I wish to assure the House that I did not mean any insult to any member of the district board or of the local board. I only said that I would remind the House that it is only human nature that the large number of people who have been aggrieved over this measure should oppose it. I do not think that I, in any way, deprecated the opposition of the members of the taluk boards."

* Rao Bahadur A. T. PANNIRSELVAM:—"Well, I am glad that the hon. Member, the Kumara Raja of Chettinad, has assured these two thousand and odd people that no insult was meant to them. I am happy that to that extent, I have misunderstood him, because I was going to say what motive will be attributed to me for the consistent opposition which I have put up towards this Bill. It is no secret either to this House or to the Hon. the Chief Minister himself that, personally, I feel that it is a huge experiment that he is making.

1st March 1934] [Mr. A. T. Pannirselvam]

“ Next, Sir, turning to the hon. Member from the City of Madras, well, I suppose the moment he gets on his legs on any matter, we should be prepared for a sermon and, this being, so to say, a ceremonial occasion, we should not have any cause for surprise if this has been no exception. That he, representing the premier Corporation or the premier local body of the Province whose representatives do not miss any opportunity of putting themselves forth as the model for the representatives of the mufassal local bodies to follow, should take this occasion again to think of preaching a sermon, is not unusual. He said that local bodies were being used or that this was one of the measures intended to use the local bodies as electioneering agencies. If that had been the intention of the Hon. the Chief Minister, I can only say that he has gone about it completely the wrong way. By this measure, instead of having 10 or 12 electioneering agencies in every district, he is reducing them to one or at the most two or three. If that was his motive, I believe the Hon. the Raja of Bobbili has acted in a manner which is certainly not consistent with what we know him to be.

“ Next, reference was made to the appointment of the special officer and surprise was expressed that the appointment should have been made even before the Bill had been passed into law. I should have thought that no administrator would be worth his salt if he could not foresee events even by a few days. The appointment was published in the Gazette the day before yesterday. Did anybody think that between then and this day there was any the remotest chance of this Bill being thrown out or not passed into law almost in the form in which it emerged from the Select Committee? ”

MR. ABDUL HAMEED KHAN:—“ In spite of your opposition.”

RAO BAHADUR A. T. PANNIRSELVAM:—“ Yes, in spite of my opposition. I really see nothing in this appointment being made some time before the election, the object obviously being one with which, the hon. Member for the City of Madras would agree, if he would only think over it for a moment, viz., that the new boards should be brought into existence or the provisions of this Act should be put into force at as early a date as possible.

“ But the most surprising thing was that the hon. Member from the City should have referred to the vetoing power which is vested in the Governor and the Viceroy. That he should have, for a moment, become so unnationalistic as to suppose that in a Bill which refers wholly and exclusively to local self-government which is entirely within the province of the Transferred Half, any Governor or any Viceroy is going to interfere, that that fear should have emanated from a gentleman of the reputation of Mr. Sami Venkatachalam Chetti in the nationalistic circles and that he should have hinted at it, seems to be the most surprising thing of all.”

MR. SAMI VENKATACHALAM CHETTI:—“ By being a nationalist, I do not cease to be a constitutionalist.”

[1st March 1934]

Rao Bahadur A. T. PANNIRSELVAM:—"As a constitutionalist, Sir, he ought to have known what the constitution is. He ought to have read it in the spirit in which it ought to be read and he should have known that the constitutional Governor and the Viceroy we have the good fortune to possess would certainly hesitate to withhold assent to a Bill which has been passed by a majority in reference to a matter which is exclusively within the province of the people.

"Then, Sir, coming to the merits of this Bill, I certainly join in the chorus of praise that is sought to be showered on the Hon. the Chief Minister for the courage with which he has conceived this Bill and has sought to push on with it. To me, it seems, Sir, that he is making an experiment of a tremendous magnitude the consequences of which might prove very useful as he hopes, or might prove very disastrous as I fear. And I reserve my congratulations about the wisdom of the Bill itself to a later period when, as I wish—and none would be gladder than myself—this experiment of the Hon. the Chief Minister should prove a success. I reserve my congratulations for the day when this measure of his which will revolutionize the whole local self-government constitution, which, though in name only an amending Bill, goes to the root of local self-government in this Province and which in its magnitude and in its scope certainly goes far beyond any other Bill that has been passed in this House, proves to be a success. Compared with this, I should think, the Act of 1930 was merely a tinkering with the whole constitution. Here everything has been uprooted and new things are going to be put in their stead. I am sure that the Government have given their best thought to it. The Hon. the Chief Minister with the expert advice behind him and with all available opinion behind him has certainly better facilities to come to conclusions in the matter against which my conclusions, based on *a priori* grounds as it were, on account of my prejudice for institutions in the shadow of which I had the privilege of serving and which might have clouded my judgment, might not be of much weight. Anyway, I congratulate him on the courage he has displayed in forging this Bill and on the tact and patience with which he has got it passed intact.

"In conclusion I may state that my opposition to the Bill and whatever I might have said, whether in the House, or in the privacy of the Hon. the Chief Minister's room, or in party meetings, were said only in the best interests of local self-government and solely with a desire to extend what little help I could, with the little experience I have in local administration, in shaping the Bill into proper form."

Mr. A. RANGANATHA MUDALIYAR:—"Sir, it is but proper that an opportunity should be given to the Council to express its final view on a matter like this: and I have no hesitation in associating myself with the sentiments expressed by my predecessor in complimenting the Hon. the Chief Minister on the way in which he has piloted this Bill to its successful termination. But, Sir, at the same time I feel I would be failing in my duty if I do not say a word or two showing how far this Bill has

1st March 1934] [Mr. A. Ranganatha Mudaliyar]

been a success. If we go back into the history of local self-government legislation in this Province we would find that we have been for the last so many years, so to say, leading a hand-to-mouth life, by bringing in one Bill after another, giving a touch here and a touch there to the local self-government institutions. And what is the result? One cannot say what result has so far been achieved. Because with the coming into power of one Minister after another, we see one Bill or another. Originally we had roughly one taluk board for each taluk. But by the Act of 1930 it was declared that a taluk board should ordinarily be created for each revenue taluk, with the result that the number of taluk boards increased from 130 to 208. That Act also introduced the levy of an obligatory land-cess of one-anna in the rupee. Then came the abolition of the tolls, which deprived the district boards roughly of 50 per cent of their annual income. Originally motor buses were contributing a substantial sum to the funds of district boards in the shape of licence fees. But as a result of the Motor Vehicles Taxation Act, this income disappeared, and with it came financial stringency, and so this Bill has been brought to tide over the difficulty. Every time a Bill was brought before the House it appeared that that was brought with a view to secure a party advantage, and so it was opposed by the Opposition Party, but still the Government carried the day. And not content with this, it seems the Government are going to bring forward a Bill for the levy of tolls on non-motor vehicles. This is the result of the agitation that has been going on for some time past! I wish the Hon. the Chief Minister would not rest on his oars, having piloted this Bill through the Council, but would bring a comprehensive measure which would remove all the defects.

“ My friend from Tanjore deprecated the idea of attributing motives to Government in not having taken the Council into their confidence in appointing the special officer, which was very recently made. Here I would appeal respectfully to the Hon. Gentlemen in the Treasury Benches to extend to us the same courtesy, which we show them, and to believe that we are actuated in our proposals by the same motives of charity like them, and so I request them to take us also into their confidence. For example, the Hon. the Chief Minister assured us that he would take the earliest opportunity of appointing executive officers to district boards. In this Bill provision for such a thing could have been easily made. The House may remember that, when I had the honour and privilege of piloting a Bill for the appointment of executive officers to municipalities I had a similar Bill with regard to the district boards. I did not then propose to introduce that Bill (A voice: Why?) for obvious reasons. Because I knew it would raise a storm of opposition from certain quarters; already the other Bill raised a cloud of opposition from the chairmen of municipalities and so I thought I had enough trouble, and so I did not want to aggravate it by bringing in the other Bill. (Laughter.) But what guarantee is there now that the Hon. the Chief Minister will or will not bring a Bill for the appointment of

[Mr. A. Ranganatha Mudaliyar] [1st March 1934]

executive officers to district boards? It may be that he has a Bill already in his file; or it may be he has not. How am I to know that, unless he gives us a gesture. That is why an attempt was made to recommit the Bill to the Select Committee. Time was when the Members of the Treasury Bench courted the least pleasure from the Opposition, and I hope those days are not altogether gone. I hope there will be plenty of opportunities hereafter when possibly Members of the Treasury Bench would be profited by the help and suggestions of the Opposition. Having said that, let me now come to offer my praise to the Hon. the Chief Minister for the way in which he has piloted this Bill to its successful termination, and I hope he would not rest on his oars now, but will bring, as I said before, an all-comprehensive measure removing all the defects in the Act."

* Dr. P. SUBBARAYAN:—"Mr. President, Sir, I am glad that the Hon. the Chief Minister has been able to pilot this Bill through the Council, even though, as Mr. Pannirselvam pointed out, I myself had my own doubts whether this was the proper method of tackling the financial stringency in which the local boards find themselves at the present moment. But I am glad he has been able to convince the majority of this Council that this was the only step which might save us from the situation, in which we find ourselves to-day. I am sorry that an amendment was carried late last evening, by which power has been given to Government to nominate members to the new boards to be constituted by bifurcation in excess of the 25 per cent of the total seats, as is provided for in the original Act; and I hope this would not be utilized to reap any party advantage. I know the Hon. the Chief Minister mentioned yesterday, I am thankful to him for that, that it is not his intention to do so, and I am sure, being what he is, he would keep his word. (Laughter.) But still there is a feeling abroad that this power which has been vested in Government might be used for purposes of party advantage. As I have said before, knowing the Hon. the Chief Minister as I do, I am sure that he for one will not be a party to any such movement on his side. But I know the difficulties, having had myself some experience of these matters while being Minister for Local Self-Government. (Laughter.) People will come and try to influence him in any manner they could in order to reap an advantage. But from what I have seen of the Hon. the Minister during the last two years, I can say that he is not a person who would yield to any of these pressures. (Hear, hear.) Because I know he is a strong man. I am glad to see Mr. Pannirselvam laughing, because he knows himself that he is one of the worst sinners in this respect. (Laughter.) When I say this, I say this from my own personal experience. (Laughter.)

"Mr. President, I must say the Hon. the Chief Minister will not make any difference in the principle of bifurcation of district boards as between one board and another, and I hope he would resort to bifurcation only in such cases where he feels that it is necessary in order to

1st March 1934]

[Dr. P. Subbarayan]

strengthen the administration and to make the administration run smoothly. Even now, I feel sure, if only the Hon. Minister will watch the events and see whether it is not possible to place the functions of the abolished taluk boards in the hands of the existing district boards themselves and thus carry on the administration without bifurcation, he can do so; and I hope he will follow that step. But if in any case the work involved is such that it is necessary to bifurcate some of the district boards, I hope it will not be done as to gain any party advantage either for one side or the other. I see Mr. Pannirselvam nodding his head. (Laughter.) I am not a person who can divine the thoughts of others from their mere nods. (Laughter.) (Mr. Pannirselvam: What would you have done?) If I had the power, you would see what I would have done. (Laughter.) Obviously Mr. Pannirselvam dissents from me, because as I have said, he is one of the worst sinners and it is probably because of that he dissents. (Laughter.)

"Mr. President, I hope also, the hopes with which the Hon. the Chief Minister piloted this Bill will fructify in the near future, and as Mr. Ranganatha Mudaliyar mentioned he will find methods by which Local Self-Government may be placed in a position as to show to the other parts of this country how Local Self-Government can work to the advantage of the people at large."

* The Hon. the RAJA OF BOBBILI:—"Mr. President, Sir, I wish gratefully to acknowledge the congratulations and advice I received from various parts of the House. I do not think this is really an occasion to speak in detail on the merits of the measure, which we have already discussed at great length from all sides of the House. No doubt we have been responsible for formulating various proposals introduced in this Bill. Sir, if we have successfully piloted this Bill through this Council in spite of the vigorous opposition at certain stages—I must say, Sir, to this the credit must be really given to my party which has loyally stood behind me.

"My hon. Friend, Mr. Sami Venkatachalam Chetti, has made certain remarks. In all the speeches I have heard from him I must express my disappointment, in that I do not find any constructive suggestion at all. (Laughter.) And so I must come to the conclusion that he can only play the role of a destructive critic. No doubt his speech exhibited a good deal of disappointment, because, according to him the role of the opposition is always to oppose and see that there is disruption in the party. No doubt he has expected, hoped and prayed (laughter) that on this question there will be split in our party; but now he is disappointed as his expectations have not been fulfilled. He has also stated that the Bill contains retrograde and undemocratic provisions. I am afraid his knowledge is really out-of-date, as he has not been following the discussions on the floor of this House during the last three days, since he was away from here. I remember he has stated that in spite of opposition, the Village Development Fund has been abolished. If he

[The Raja of Bobbili]

[1st March 1934]

had been present in the House he would have seen that the proposal in the Bill as adopted by the Select Committee was altered with almost the unanimous vote of this House. But personally I think there is scope, as I have already said before, for difference of opinion in the matter on various points. But taken as a whole I feel this Bill has been a reform in the right direction.

“ Mr. Sami Venkatachalam Chetti has stated I don't know whether he was himself misled, or whether he wanted to mislead the House, I don't know which (laughter)—that this measure was introduced for political purposes. (Mr. Sami Venkatachalam Chetti: ‘ I did not say like that.’) Certainly he said so.”

MR. SAMI VENKATACHALAM CHETTI:—“ On a matter of personal explanation, Sir, I never said that this Bill was brought in for political purposes. As a matter of fact what I said was that we should centralize power for substantial reasons only, and that, I said, was not realized by not making any provision to augment the resources of these bodies.”

* THE HON. THE RAJA OF BOBBILI:—“ Sir, I remember, the hon. Member has clearly stated that the effect of the new bifurcated district boards would be that these would be used for political purposes. Anyhow, I don't want to pursue this point any further. In fact any Minister who feels that he is going to have political advantage by carrying a measure against vested interests would be foolish indeed. It is only after coming face to face with the problem of local self-government and after feeling that matters are coming to a crisis that I have decided to bring forward this measure, which no doubt introduces, as some hon. Members characterised, revolutionary changes in the structure of local self-government.

4-45
p.m.

“ I have also been encouraged to introduce this measure, in spite of opposition which I was sure would be forthcoming from certain quarters, because I was assured of the support and loyalty of my party. In this connexion I may state with pardonable pride that history will show, not as expected by my hon. Friend, Mr. Sami Venkatachalam Chetti, but that this is one of the achievements of the Justice Party. As we are on the eve of great political changes and as greater responsibilities are devolving on the shoulders of Indians, I feel no constitutional Government will be successful without party loyalty which my hon. Friend, Mr. Sami Venkatachalam Chetti, has styled as ‘ muzzled party ’ or ‘ well-drilled party ’ and so on. I do not feel without party loyalty any constitutional Government will be successful and any Government will be able to pilot any measure that cuts across the vested interests. I therefore feel that if any credit is to be taken for piloting this measure, it is due to my party and I feel therefore that this party will set an example, as Madras has always done, to other Provinces in India.

“ Coming to the main features of the Bill, various hon. Members sitting in the Opposition no doubt look to the measure from the point of

1st March 1934]

[The Raja of Bobbili]

view of their own districts. I may assure them that this is no party measure. This legislation is introduced in the interests of the Province as a whole and either in bringing the provisions into force or in administering the Act they will find that this Government will deal with the matter in the interests of the Province and not for any political or party purposes. In conclusion I once again wish to acknowledge the valuable assistance rendered by the Members of the Select Committee during the Select Committee stage, and by the Secretary to the Legislative Council for the expeditious manner in which he has helped me in pushing through this measure without any delay. Before I close my remarks it is my duty to acknowledge the valuable services rendered to the Government in this connexion by my Secretary, Mr. Conran Smith, who in spite of the heavy normal duties of his department has been able to deal with this measure in an expeditious manner with the least possible delay and without whose help and co-operation it would not have been possible to get ready this Bill which contains so many important changes. (Applause.)"

The motion was put and carried and the Bill was passed into law.

The House then adjourned to meet again at 11 a.m. on the 8th March 1934.

R. V. KRISHNA AYYAR,
Secretary to the Legislative Council.

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TRUTH ALONE TRIUMPHS

